

Marlan, Andrew M.

From: Guglielmi, Anthony
Sent: Saturday, May 26, 2018 10:44 AM
To: News Affairs; Giancamilli, Frank
Subject: Re: NBC5 Info Request

negative, nothing to do with them

Anthony Guglielmi
Chief Communications Officer
Chicago Police Department
Office of the Police Superintendent

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From: News Affairs
Sent: Saturday, May 26, 2018 10:41 AM
To: Guglielmi, Anthony; Giancamilli, Frank
Subject: Fw: NBC5 Info Request

Did CPD have anything to do with the immigration raids? See below. Please advise.

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Chicago Police Department
Office of Communications
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Fax (312) 745-6999

From: [REDACTED] (NBCUniversal) <[REDACTED]@nbcuni.com>
Sent: Saturday, May 26, 2018 10:32 AM
To: News Affairs
Cc: [REDACTED] (NBCUniversal)
Subject: NBC5 Info Request

Good morning,

This is [REDACTED] with channel 5. We got a release from ICE last night saying they arrested 156 illegal immigrants over the last several days in the Chicago area as part of their Operation Keep Safe.

Despite the severe challenges that local policies have created for ICE, we remain committed to our public safety mission and we will continue to do our sworn duty to seek out dangerous criminal aliens and other immigration violators. ICE seeks straightforward cooperation with all local law enforcement and elected officials.

These operations involve existing and established Fugitive Operations Teams.

During targeted enforcement operations, ICE officers frequently encounter other aliens illegally present in the United States. These aliens are evaluated on a case-by-case basis, and, when appropriate, they are arrested by ICE officers.

ICE

U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security. ICE is a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities. For more information, visit: www.ICE.gov. To report suspicious activity, call 1-866-347-2423.



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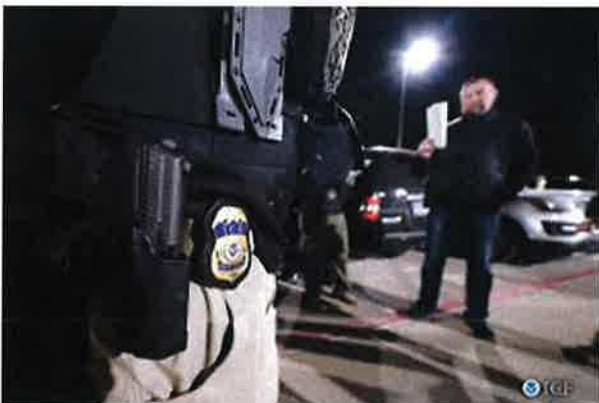
This is [REDACTED] with channel 5. We got a release from ICE last night saying they arrested 156 illegal immigrants over the last several days in the Chicago area as part of their Operation Keep Safe. Was any of this done in conjunction with the Chicago Police Dept? Were any CPD arrests transferred over to ICE?

Info from ICE is below. Thanks!

[REDACTED]

ICE arrests 156 criminal aliens and immigration violators during Operation Keep Safe in Chicago area

Editor's Note: The arrest statistics provided in this news release represent preliminary data that has been manually reported to ICE headquarters. Official numbers can vary slightly from preliminary data.



CHICAGO — Federal officers with U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations (ERO) arrested 156 criminal aliens and immigration violators in the Chicago metropolitan area during a six-day enforcement action, which ended Thursday.

During this operation, ERO deportation officers made arrests in the following 37 communities: Addison, Arlington Heights, Aurora, Bartlett, Berkley, Berwyn, Blue Island,

Bolingbrook, Bridgeview, Burbank, Carol Stream, Chicago, Chicago Ridge, Cicero, Des Plaines, Elgin, Hanover Park, Hoffman Estates, Geneva, Joliet, McHenry, Mt. Prospect, Naperville, Northfield, North Riverside, Orland Park, Palatine, Park City, Rolling Meadows, Rosemont, St. Charles, Stickney, Stone Park, Warrenville, Waukegan, West Chicago and Wheaton.

Of the 156 arrested, 74 had criminal convictions. One hundred forty-seven men and nine women were arrested; they range in age from 19 to 64 years old.

Aliens arrested during this operation are from the following 11 countries: Mexico (125), Guatemala (10), Poland (6), El Salvador (4), Honduras (4), Philippines (2), Ecuador (1), Jamaica (1), Jordan (1), Lithuania (1) and New Zealand (1).

Most of the aliens arrested by ERO deportation officers during this operation had prior criminal histories that included convictions for the following crimes: battery, commercial sex, criminal trespass (vehicle), dangerous drugs, domestic violence, driving under influence, drug trafficking, felony burglary, homicide, illegal entry, indecency/sex conduct, larceny, obstructing justice, possessing cocaine, possessing controlled substance, possessing marijuana, reckless discharge of a weapon, retail theft, sexual assault, solicitation of a sex act, traffic offense and trespassing.

Fourteen of those arrested were immigration fugitives who have final orders of removal. Thirty-six others illegally re-entered the United States after having been previously deported, which is a felony. Depending on an alien's criminality, an alien who re-enters the United States after having been previously deported commits a felony punishable by up to 20 years in federal prison, if convicted. The remaining 106 arrests were at-large aliens who are illegally present in the United States.

The following are criminal summaries of four criminal aliens arrested in the ICE Chicago area during this six-day operation:

- May 23 — a 42-year-old illegal alien from Mexico and a self-admitted Sureno 13 gang member was arrested near his residence in Chicago. He was twice convicted of willful infliction of corporal injury. He was ordered removed by an immigration judge, and ICE officers later deported him. He later illegally re-entered the United States, and was convicted and sentenced to 12 years in prison for unlawfully possessing a controlled substance with intent to deliver. He remains in ICE custody pending his removal.
- May 23 — A 41-year-old citizen of Mexico and U.S. permanent resident was arrested in Rolling Meadows, Illinois. He has convictions for retail theft and possessing methamphetamine, which render him removable. He remains in ICE custody pending immigration court proceedings.
- May 24 — A 44-year-old illegal alien from Mexico was arrested outside of McHenry County Jail in Woodstock, Illinois. He was convicted of Battery/Bodily Harm and was sentenced to 18 months' probation. He remains in ICE custody pending his immigration court proceedings.
- May 24 — A 28-year-old illegal alien from Mexico was arrested after a traffic stop in Palatine, Illinois. He was convicted of possessing a controlled substance and sentenced to two years' probation. He remains in ICE custody pending his immigration court proceedings.

These individuals remain in ICE custody pending immigration court proceedings, re-instatement of their prior deportation orders or criminal court proceedings.

"ICE continues to face significant obstacles from dangerous policies created by local officials which hinder cooperation between ICE and local law enforcement," said Ricardo Wong, field office director for ERO Chicago. "Sanctuary cities" not only provide refuge to illegal aliens, but they also protect criminal aliens who prey on people in their own communities. This operation was a great success for all members of our communities. The Chicago area is safer today because of the hard work of the men and women of ERO."

All of the targets in this operation were amenable to arrest and removal under the U.S. Immigration and Nationality Act.

ICE focuses its enforcement resources on individuals who pose a threat to national security, public safety and border security. However, ICE no longer exempts classes or categories of removable aliens from potential enforcement. All of those in violation of immigration laws may be subject to immigration arrest, detention and, if found removable by final order, removal from the United States.

Some of the individuals arrested during this operation will face federal criminal prosecutions for illegal entry and illegal re-entry after deportation. The arrestees who are not being federally prosecuted will be processed administratively for removal from the United States. Those who have outstanding orders of deportation, or who returned to the United States illegally after being deported, are subject to immediate removal from the country. The remaining individuals are in ICE custody awaiting a hearing before an immigration judge, or pending travel arrangements for removal in the near future.

More than 100 individuals arrested during this operation were previously released to the streets from local law enforcement despite an active immigration detainer. ICE places detainers on individuals who have been arrested on local criminal charges and who are suspected of being deportable, so that ICE can take custody of that person when the person is released from local custody. When law enforcement agencies fail to honor immigration detainers and release serious criminal offenders onto the streets, it undermines ICE's ability to protect public safety and carry out its mission.

In years past, most of these individuals would have been turned over to ICE by local authorities upon their release from jail based on ICE detainers. Now that many sanctuary cities, including Chicago, do not honor ICE detainers, these individuals, who often have significant criminal histories, are released to the street, which presents a significant and growing public-safety threat.

ICE has no choice but to continue to conduct targeted at-large arrests in local neighborhoods and at worksites, which inevitably result in additional collateral arrests. Such operations are much more dangerous for ICE officers, for the targeted aliens, and for bystanders.

Ultimately, efforts by local politicians have shielded removable criminal aliens from immigration enforcement and created another magnet for more illegal immigration, all at the expense of the safety and security of the very people it purports to protect.

Despite the severe challenges that local policies have created for ICE, we remain committed to our public safety mission and we will continue to do our sworn duty to seek out dangerous criminal aliens and other immigration violators. ICE seeks straightforward cooperation with all local law enforcement and elected officials.

These operations involve existing and established [Fugitive Operations Teams](#).

During targeted enforcement operations, ICE officers frequently encounter other aliens illegally present in the United States. These aliens are evaluated on a case-by-case basis, and, when appropriate, they are arrested by ICE officers.

ICE

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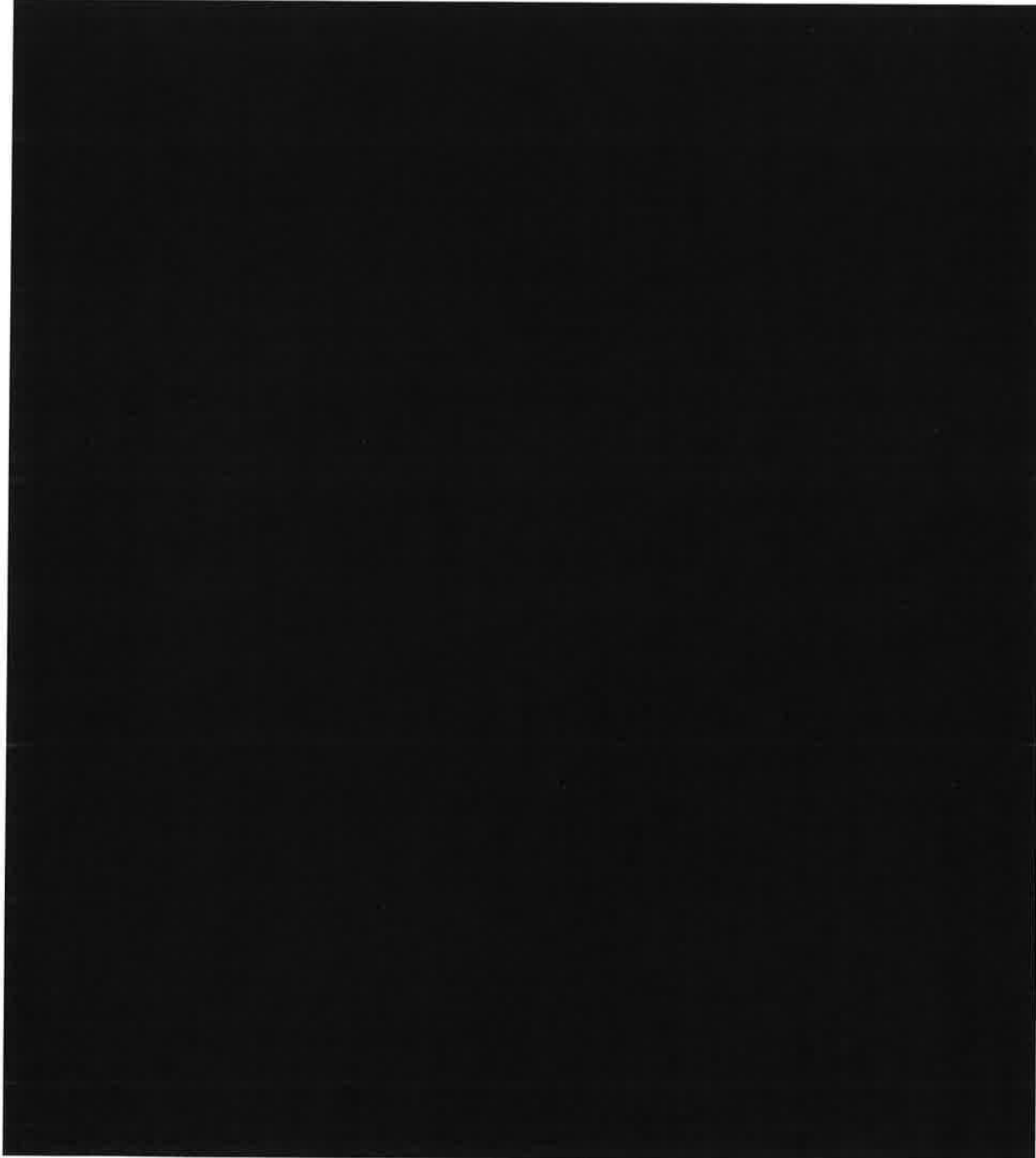
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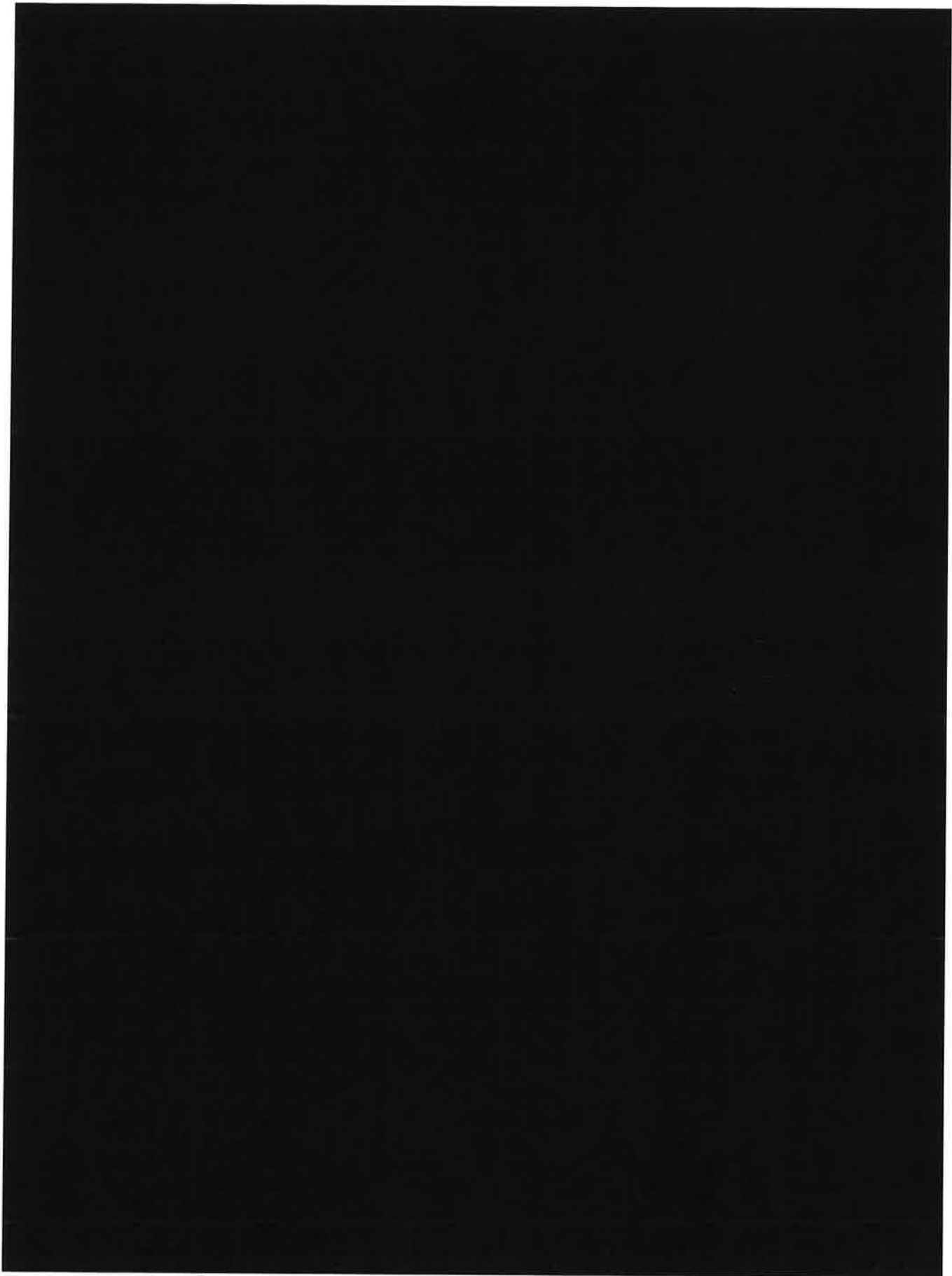
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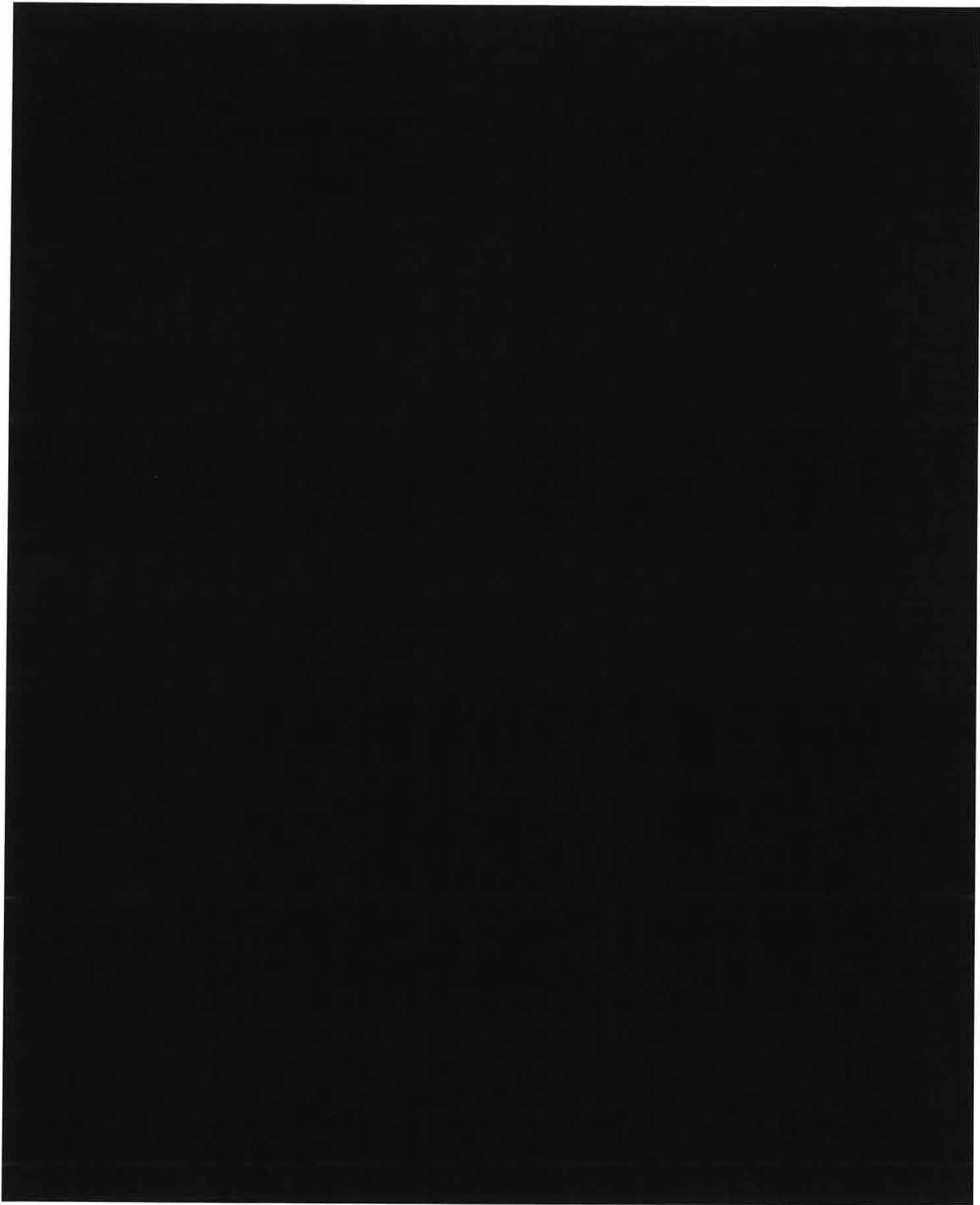
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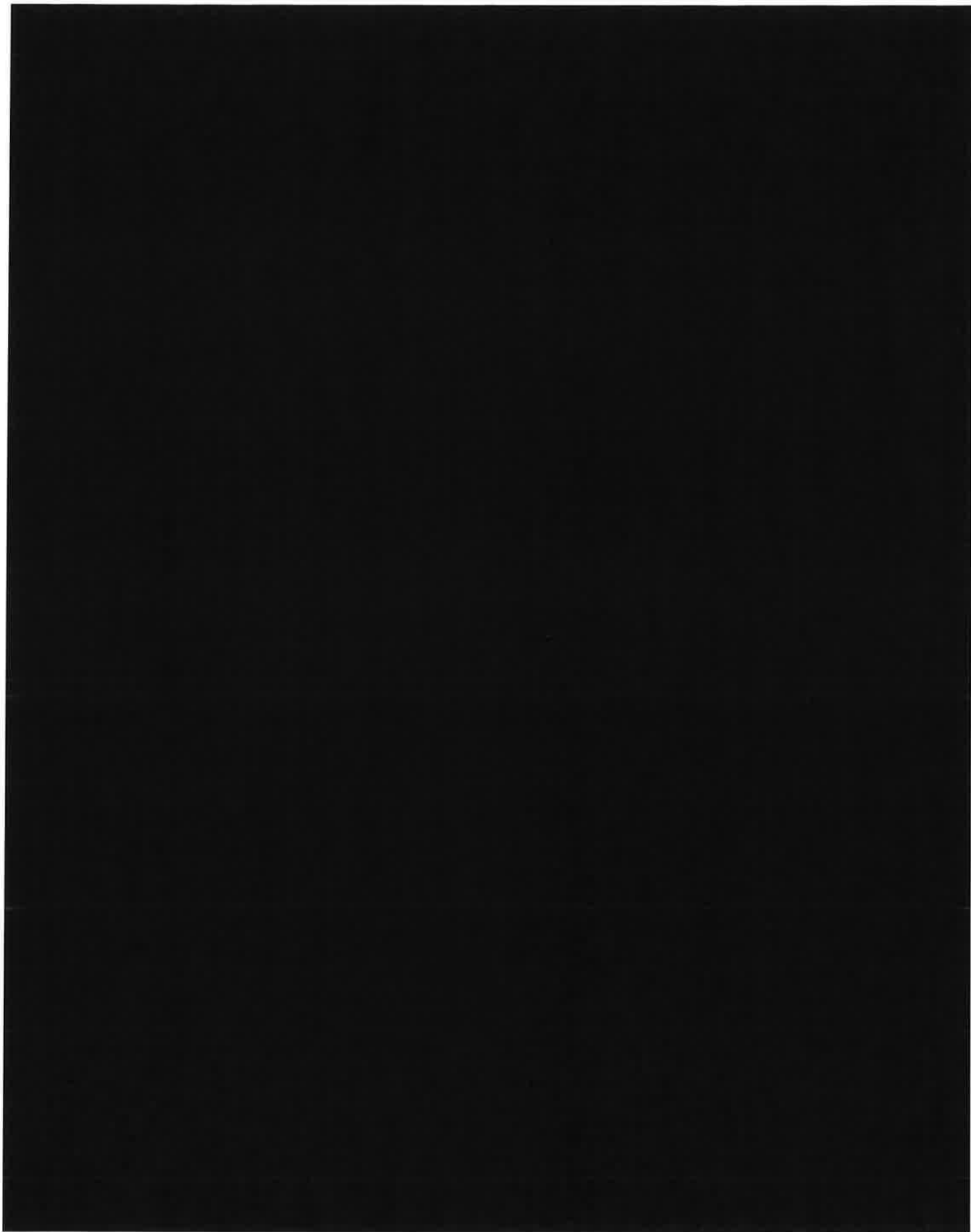
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Sent: Thursday, April 19, 2018 6:58 AM
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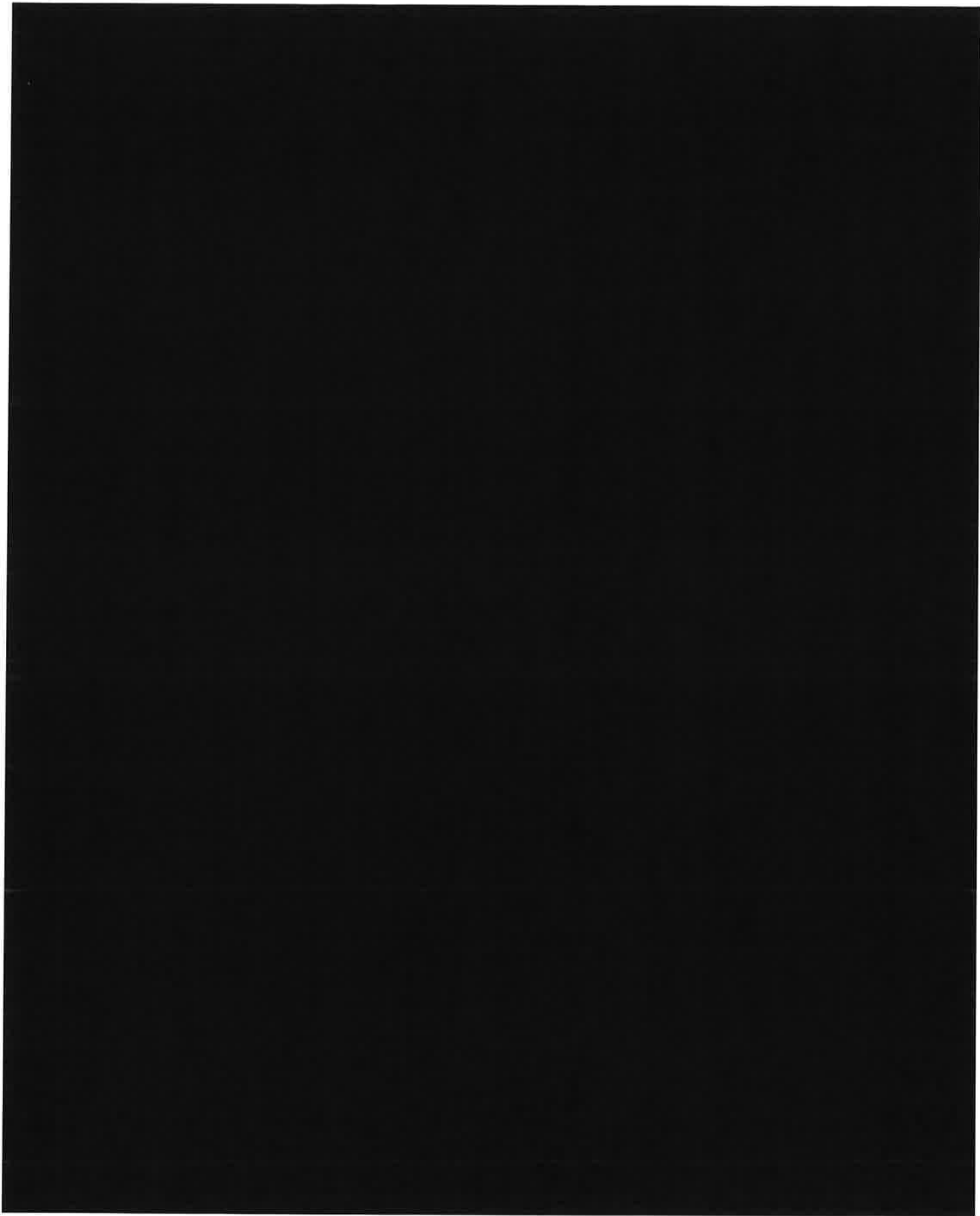
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To: DHS@BulletinIntelligence.com
Subject: The Homeland Security News Briefing for Thursday, April 19, 2018

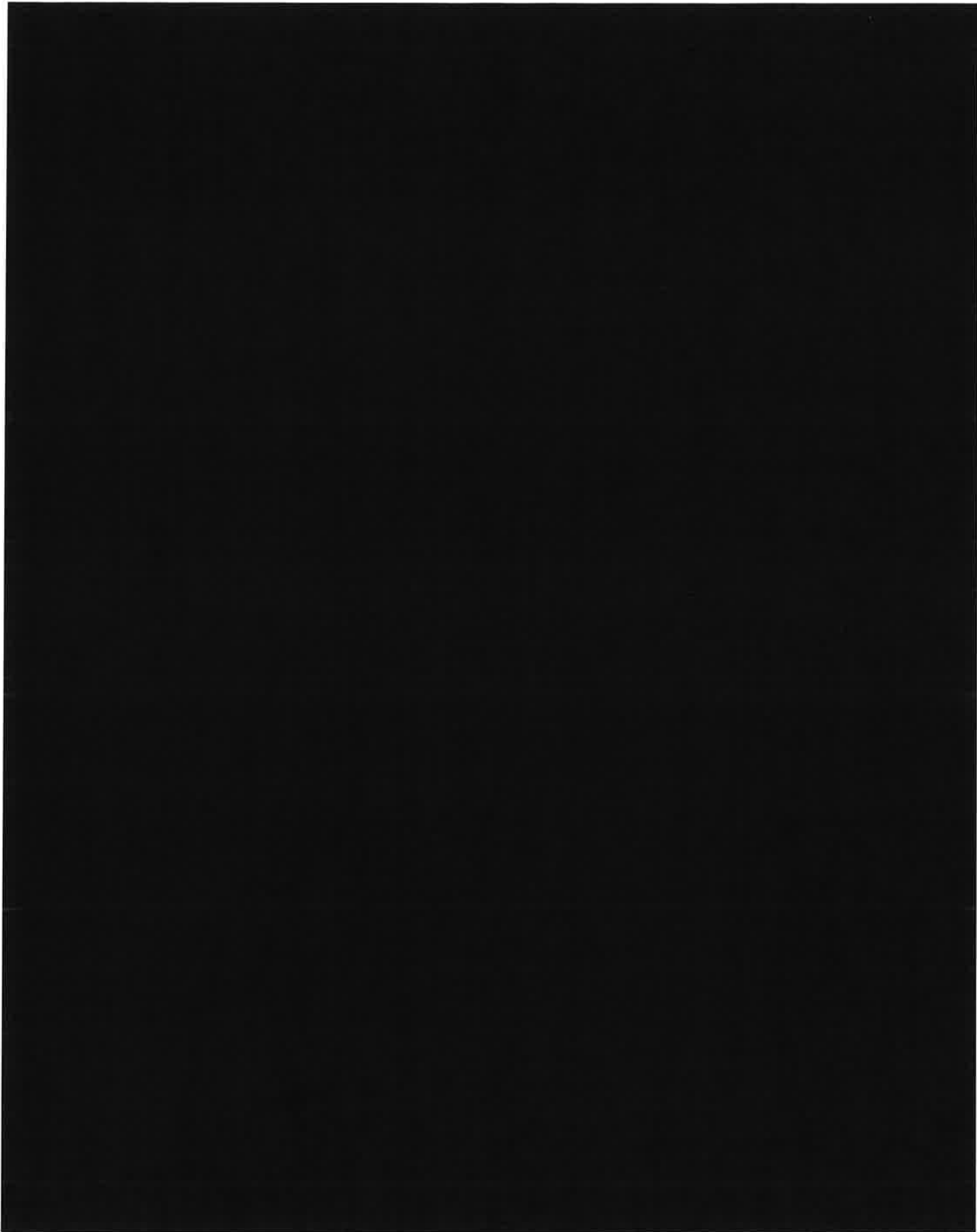




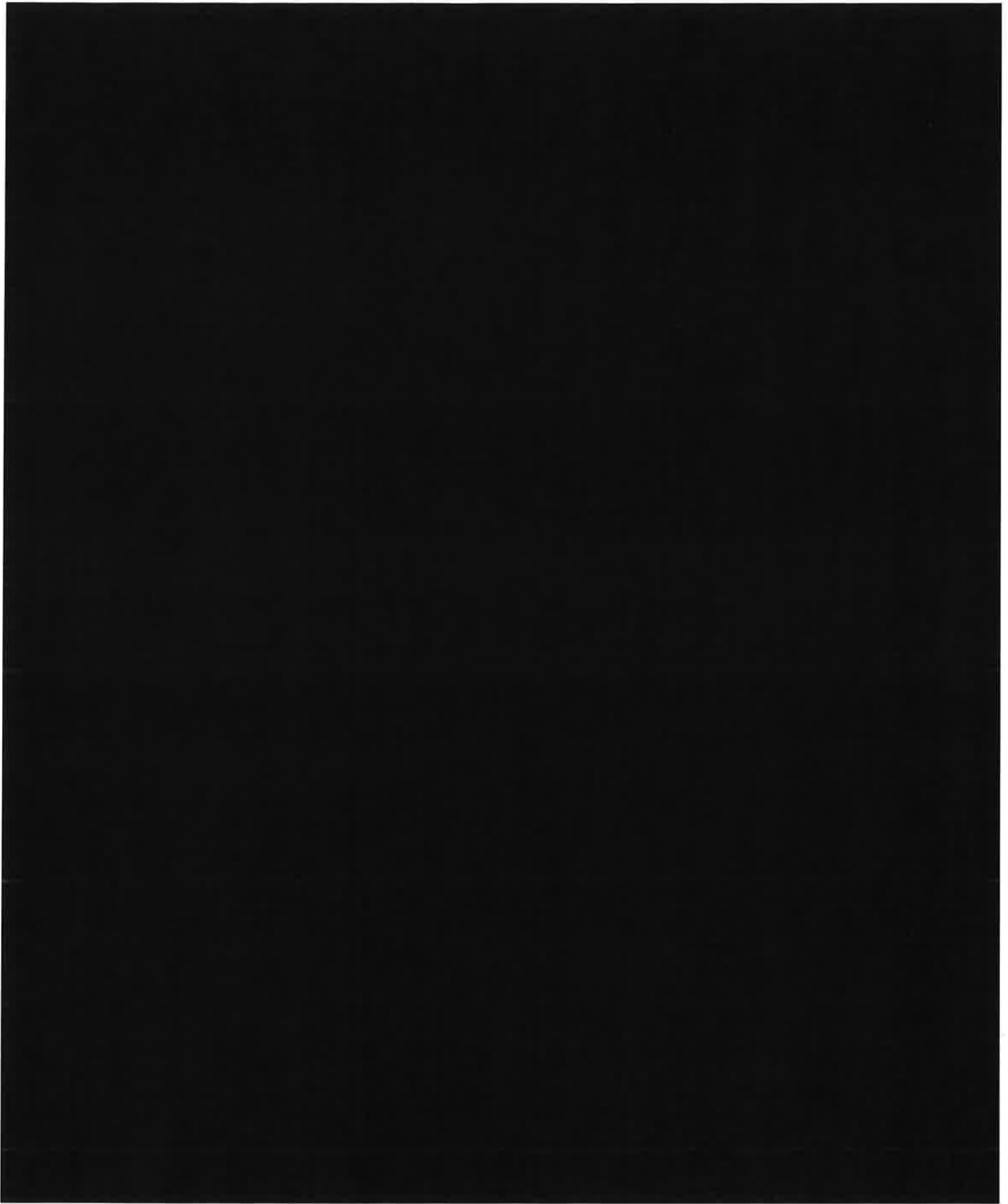


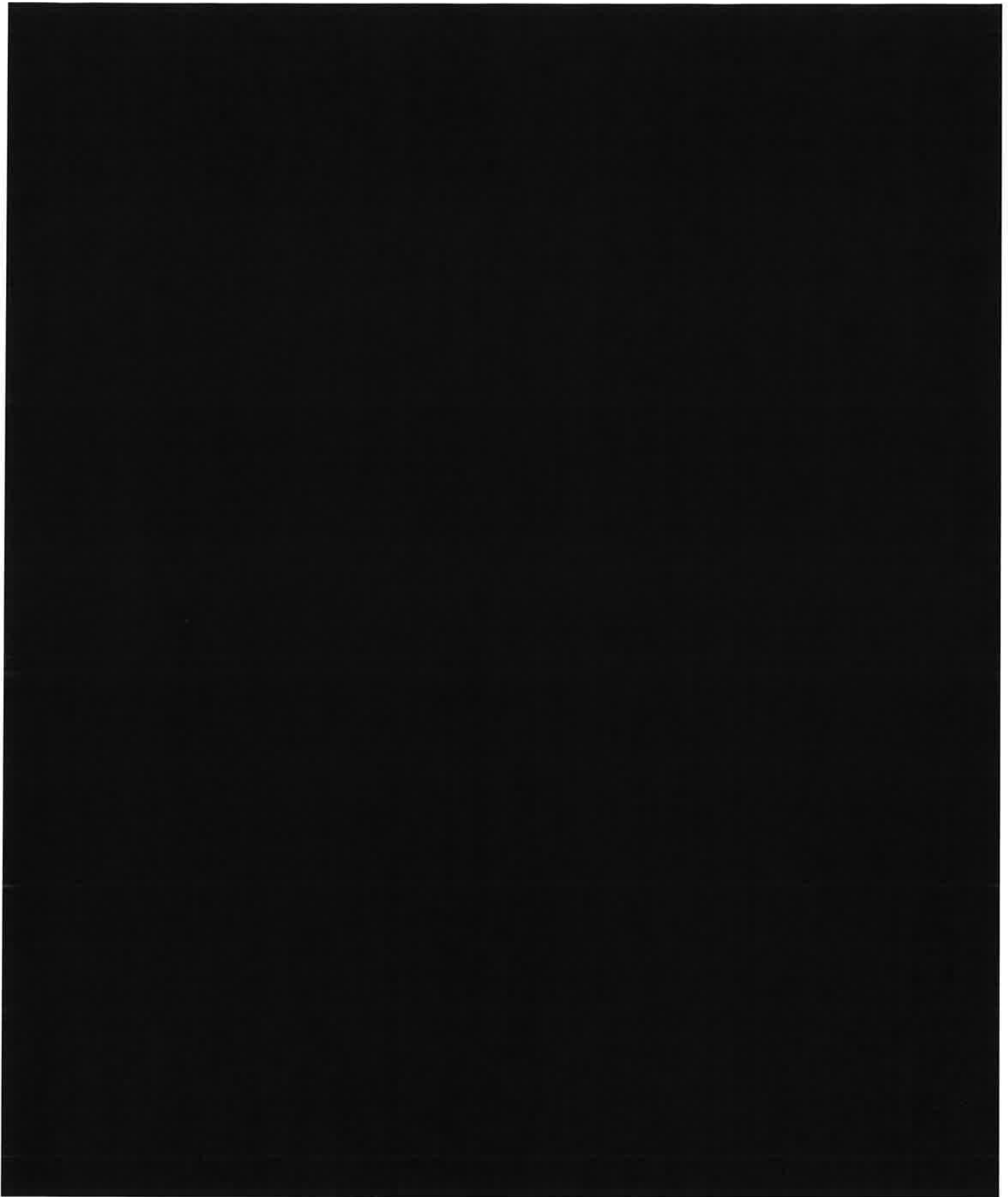


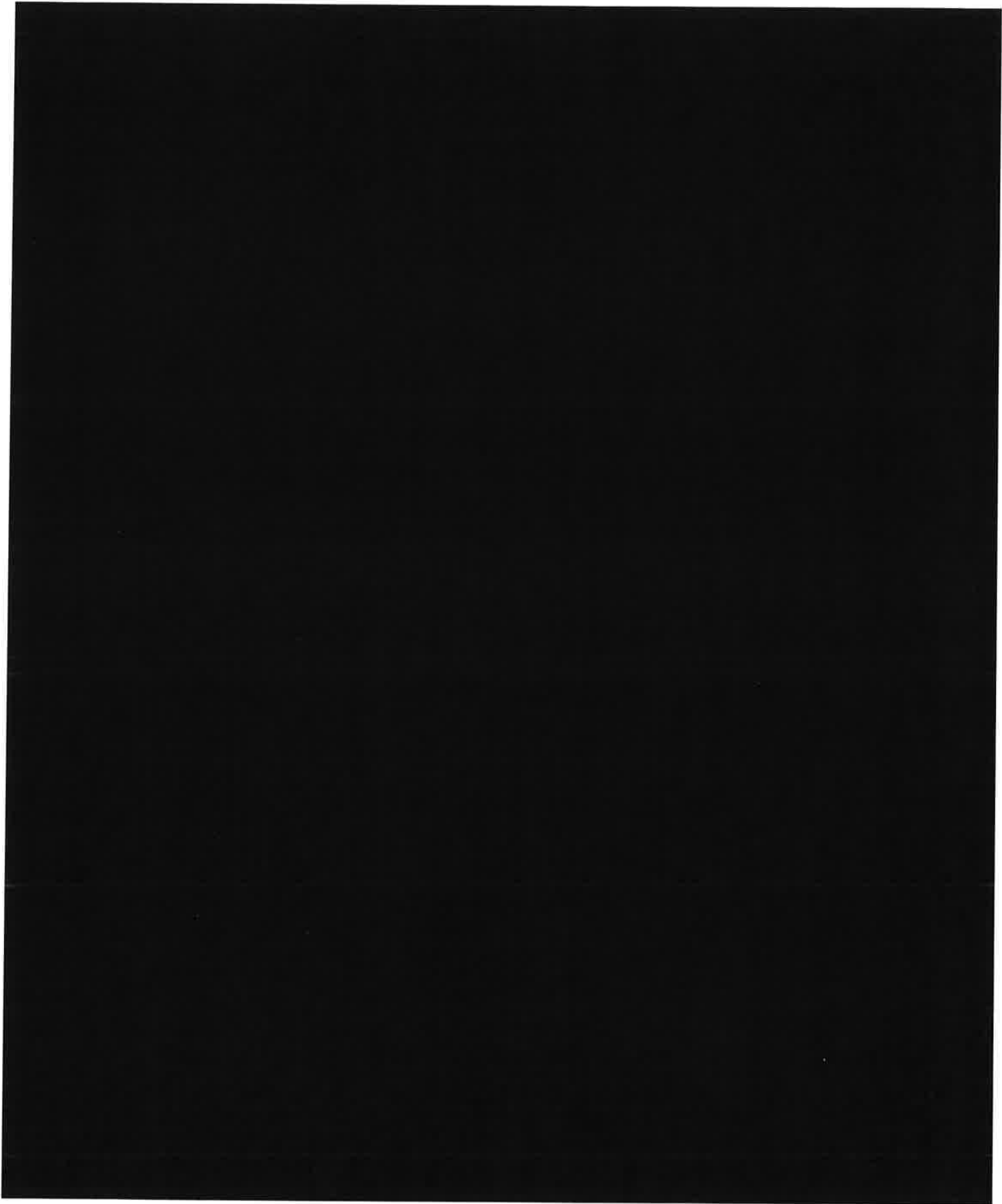


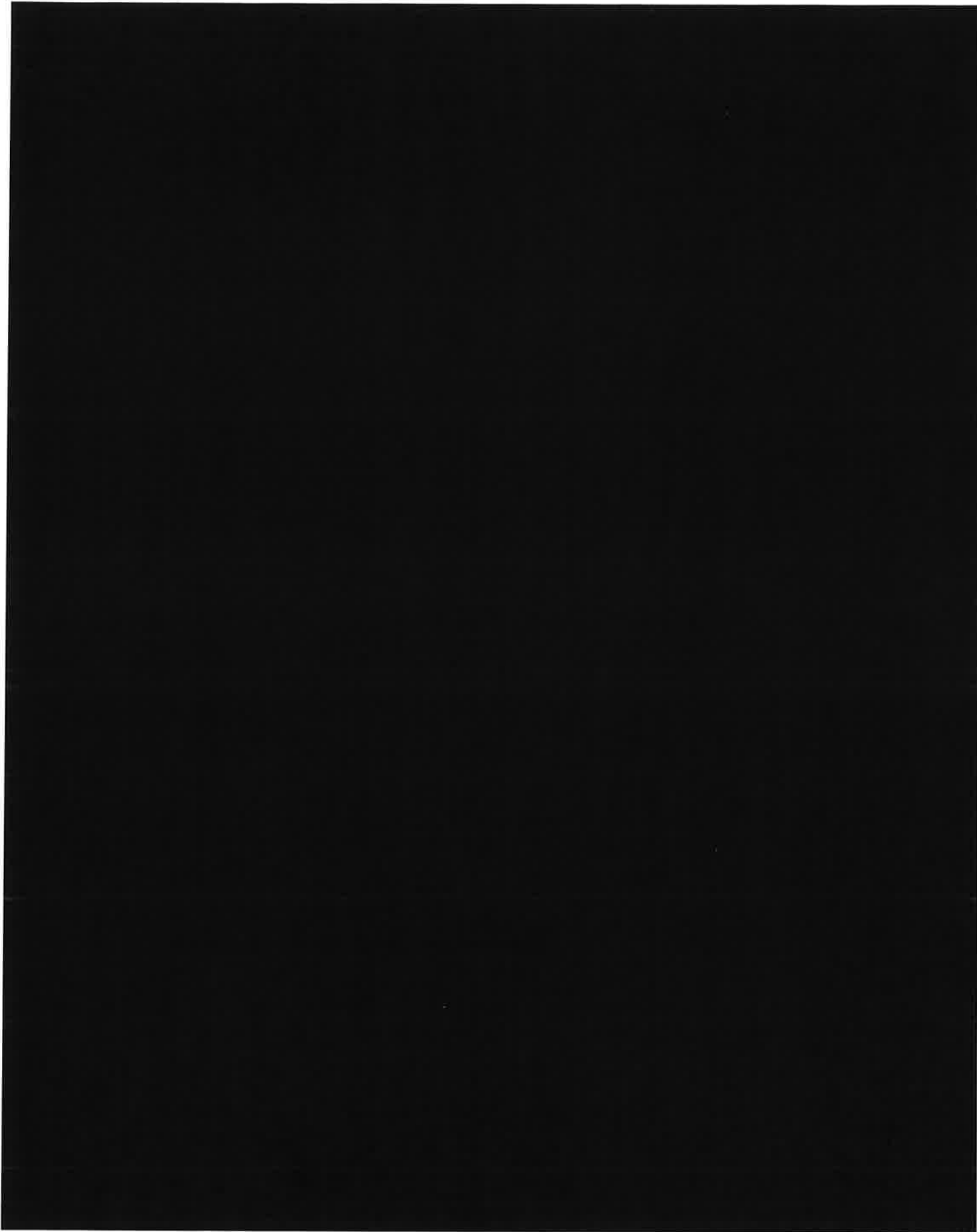


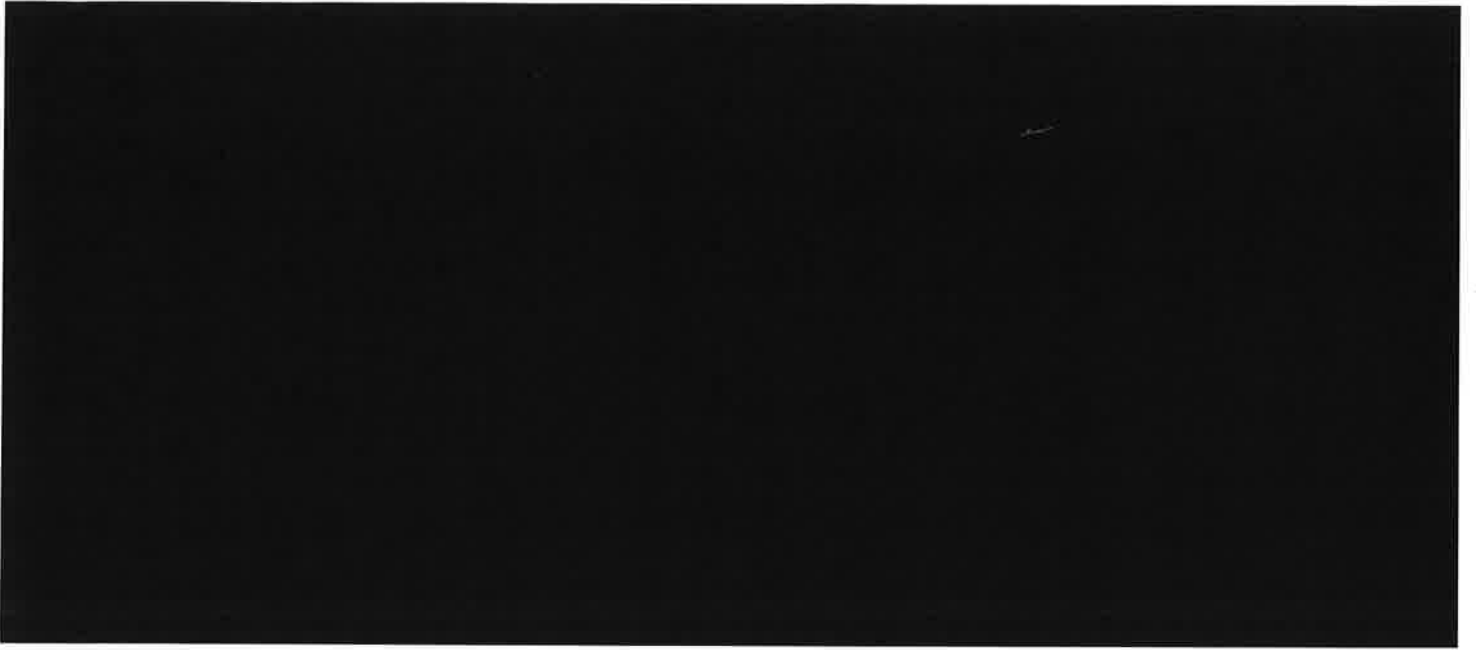












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From: Stoyias, Thomas S.
Sent: Monday, May 21, 2018 7:05 AM
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Attachments: DHSNewsBriefingClips20180521.pdf

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TO: THE SECRETARY AND SENIOR STAFF
DATE: MONDAY, MAY 21, 2018 5:00 AM EDT

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LEADING DHS NEWS

Trump, MS-13, And Fake News

By Bret Stephens

New York Times, May 18, 2018

When Donald Trump takes his swipes at the "disgusting and corrupt media" and tens of millions of Americans agree, it's not as if they don't have examples in mind.

Consider this week's implication by major news organizations that the president described all illegal immigrants as "animals" during a White House roundtable

with California officials. That would indeed be a wretched thing for him to say — had he said it.

He did not. The Associated Press admitted as much when it deleted a tweet about the remark, noting "it wasn't made clear that he was speaking after a comment about gang members." Specifically, he was speaking after a comment about members of the Salvadoran MS-13 gang, infamous for its ultraviolent methods and quasi-satanic rituals. To call MS-13 "animals" is wrong only because it is unfair to animals.

That didn't keep the president's partisan critics from going berserk. "If you are a decent person and were in a meeting where @realDonaldTrump called immigrants 'animals,' you will denounce him NOW," demanded Representative Eric Swalwell, a California Democrat. "Otherwise, what makes you any different?" Maybe one answer is that they would have taken the trouble to hear what Trump said in context, without invidious media interpretations.

Then there was Senator Chuck Schumer of New York: "When all of our great-great-grandparents came to America they weren't 'animals,' and these people aren't either," he wrote on Twitter. Let's assume the Schumer family tree does not include ancestors who kidnapped, drugged, raped and murdered teenage girls.

All this is catnip to the president's apologists, who can now point to a genuine instance of fake news — not merely factually mistaken, but willfully misleading — in order to dismiss the great bulk of negative reportage that isn't fake. The truth shouldn't be a cheap trick.

It's also a monumental disservice to anyone who wants to repudiate the administration's squalid thinking on immigration. The Trumpian case against supporters of a liberal immigration policy is that we are indifferent to law, blasé about crime and blind to the social costs illegal immigrants impose on American communities. How better to feed that case than to misrepresent, and then take umbrage at, the president's tough talk on a psychotic Latin American gang?

The blunt truth is that immigrants have brought crime to our shores for a very long time: Decades before MS-13, there were the Dead Rabbits (Irish), Flying Dragons (Chinese), Undzer Shtik (Jewish) and, of course, the Cosa Nostra. And for just as long politicians have tried to portray immigrants as criminals, from the Know Nothings of the 1850s to the authors of the Immigration Act of 1924. Now the nativist-in-chief is also the commander-in-chief.

The intelligent answer to Trump can't be that we have nothing to fear when it comes to immigrants, or that every attempt to enforce immigration laws or discuss immigration ills is just a thinly veiled form of xenophobia. The right answer is that, on net and over time, we have far more to gain from immigrants than we have to lose from them.

More to the point, it's that the policies his administration has pursued — mass deportations above all — make things worse. In a useful Atlantic article, J. Weston Phippen notes that MS-13 was started in Los Angeles in the 1980s by Salvadoran immigrants, who were then deported back home by the Clinton administration in the 1990s. That only turbocharged the gang in the next decade, creating the domestic mayhem that contributed to the Central American exodus Trump now decries.

Conservatives used to get the law of unintended consequences. They understood the economic necessity of demographic growth through immigration, especially now that the number of U.S. births is at a 30-year low. They knew that immigrants, legal or illegal, do not drive up rates of violent crime at all. And they realized it was vital to promote security and prosperity in Latin America, not least through warm relations and free-trade agreements.

Or at least they mostly got all this until Trump came around. Which leaves it to sensible Democrats and sane Republicans to repel and defeat the president's demagoguery. That takes a cool-headed command of immigration facts and historical experiences. Baldly misrepresenting what the president says is the opposite of that. It's a gift to Trump.

I know it's infuriating that the president habitually conflates illegal immigrants with violent criminals, and that he buries the signal of his bigotries in the noise of his syntax. I also suspect that the president would be just as eager to deport Latin American immigrants and build a wall with Mexico if groups like MS-13 didn't exist.

That doesn't matter. We have a president adept at goading his opponents into unwittingly doing his bidding. They did so again this week. Those who despise him for his deceptions should endeavor to give no impression of being deceitful in turn.

Trump Blasts 'Fake News' For Twisting 'animals' Comment, DHS Secretary Says Dems Owe Apology

Fox News, May 18, 2018

President Trump on Friday tore into media outlets for twisting a comment he made this week about MS-13 "animals," while the Homeland Security secretary said Democratic lawmakers who did the same should apologize.

"Fake News Media had me calling Immigrants, or Illegal Immigrants, 'Animals.' Wrong! They were begrudgingly forced to withdraw their stories," Trump tweeted. "I referred to MS 13 Gang Members as 'Animals,' a big difference — and so true. Fake News got it purposely wrong, as usual!"

Trump made the original comments at a roundtable on California's "sanctuary" immigration policies on Wednesday.

Media outlets and top Democrats were quick to accuse him of describing undocumented immigrants in general as "animals."

But some outlets have walked back that characterization, given Trump made the remark after Fresno County Sheriff Margaret Mims lamented how California policies could restrict the fight against MS-13.

"There could be an MS-13 gang member I know about, if they don't reach a certain threshold, I cannot tell ICE about them," she said.

The president responded, "You wouldn't believe how bad these people are. These aren't people, these are animals, and we're taking them out of the country at a level and at a rate that's never happened before."

But a number of outlets glossed over the MS-13 context, stating that Trump was talking about all illegal immigrants. The New York Times tweeted that Trump "lashed out at undocumented immigrants...calling those trying to breach the country's borders 'animals.'" The Associated Press deleted a tweet that made a similar representation of his remarks.

DHS Secretary Kirstjen Nielsen also defended Trump on "Fox & Friends" Friday, blasting Democratic politicians she said also missed the point.

"When all of our great-great-grandparents came to America they weren't 'animals,' and these people aren't either," Senate Democratic Leader Chuck Schumer, D-N.Y., said, while House Democratic Leader Nancy Pelosi, D-Calif., said that "we are all God's children."

"Personally, I think those lawmakers owe the president an apology," Nielsen said, accusing them of "pretending" Trump was saying something else.

"Frankly, it's unprofessional," she added.

Nielsen also responded to a recent report claiming she had drafted a resignation letter after Trump berated her at a meeting – Nielsen said the report was not true.

MS-13 is a violent gang known for its gruesome crimes that was started by Central American immigrants in the 1980s.

"Violence is a central tenet of MS-13, as evidenced by its core motto – 'mata, viola, controla,' translated as, 'kill, rape, control,' the DOJ said in a 2016 release.

Figures from Immigration and Customs Enforcement document a surge in arrests related to MS-13 since Trump came into office. In fiscal 2017, there were 796 arrests of MS-13 members, compared with 432 in fiscal 2016 and 322 in fiscal 2015.

Trump on Thursday defended himself during remarks at the White House.

"I am referring to the MS-13 gangs coming in. I was talking about MS-13. If you look further in the tape, you'll see that. I'm surprised you're asking the question because most people got it right," Trump said. "MS-13, they're animals, we're getting them out."

Kirstjen Nielsen: Trump Could Have Used Harsher Language About MS-13

By Sally Persons

Washington Times, May 18, 2018

Department of Homeland Security Secretary Kirstjen Nielsen addressed the controversy surrounding President Trump's remarks on members of the MS-13 gang as ridiculous on Friday, suggesting he could have used harsher language.

"If anyone wants to quibble about whether we call [MS-13] animals, perhaps the quibble should be whether we call them something worse," Ms. Nielsen said on Fox News.

She added that Mr. Trump calling these gang members "animals" was very clear and that he was not talking about illegal immigrants as a whole. The comments were widely criticized by Democrats who accused the president of using racist language.

Reporter Asks DHS Sec About Separating Illegal Immigrant Families: She Has A Four-Word Solution

By Benny Johnson

Daily Caller, May 18, 2018

Department of Homeland Security Secretary Kirstjen Nielsen had blunt advice for illegal immigrants who don't want to be separated from their families.

Nielsen recently announced an agency policy that will separate children from their parents if immigrant families attempt to cross the American border illegally. If caught, the illegal immigrant parents will face criminal prosecution and be separated from their children.

A reporter asked Nielsen on her way into the White House about the policy.

"What do you say to people who worry about separating parents and children?" the reporter asked, calling the practice "extreme."

Nielsen had a simple response: "Don't break the law."

She continued, saying "If you break the law, you go to jail, and you're separated from your family. It shouldn't be any different for illegal immigrants."

Nielsen said earlier in the week at a Senate hearing, "Our policy is if you break the law, we will prosecute you. You have an option to go to a port of entry and not illegally cross into our country."

BORDER SECURITY

This Is What The 'zero-tolerance' Policy On The Border Means For People Fleeing Violence

By Jasmine Garsd

Public Radio International, May 18, 2018

It was the middle of April when they showed up at the border, covered in mud. Ana, eight months pregnant, accompanied by her 4-year-old daughter, had just crossed the Rio Grande into Texas.

"We didn't have shoes on, we stood there in our socks," she says.

When they saw border patrol agents, they turned themselves in and were placed in detention while authorities contacted Ana's aunt in Connecticut. The next day, Ana says that she and her daughter were released on the condition that Ana check in with immigration officials regularly while waiting for her court dates.

Ana is not her real name. While she showed PRI the documents she received from the government and gave many details about her life, she asked not to be identified because she fears for her family's safety, and because her legal case is pending.

It took three days to get from the Rio Grande to Connecticut by bus. Ana says her daughter would often lean into her full belly and whisper, "Wait baby, wait until we get to auntie's house. Don't come yet."

A pregnant migrant and her child, afraid to return to Honduras, are released from detention at the border and allowed to remain in the US under supervision while they wait to see a judge. It is a familiar story — and a practice, now spanning several presidents' administrations, that has allowed people crossing the border without authorization to attend court proceedings from outside a detention center.

But it is a practice that President Donald Trump and Attorney General Jeff Sessions condemn. On May 7, a week after about 200 migrants from Central America arrived at the border in Tijuana, Mexico, Sessions held a news conference in front of the border fence near San Diego.

"I have put in place a zero-tolerance policy for illegal entry on our southwest border. If you cross this border unlawfully, then we will prosecute you. It's that simple. If you smuggle illegal aliens across our border, then we will prosecute you. If you are smuggling a child, then we will prosecute you and that child will be separated from you as required by law," he said.

The Immigration and Naturalization Act allows migrants to ask for asylum, whether they entered through a port of entry or not.

A Department of Homeland Security (DHS) spokesperson told PRI by email that the new orders mean anyone crossing the border between checkpoints will be prosecuted, including those fleeing violence or who ultimately seek asylum.

"It's the wrong answer to the problem," says Doris Meissner, a former commissioner of the US Immigration and Naturalization Service (INS) during the Bill Clinton administration.

The INS handled immigration issues before DHS was created in 2002. "It is certainly an issue at the border that people are coming from Central America, but they are coming from Central America for reasons of violence and persecution," said Meissner. "We now have in the Trump administration an approach which is completely centered on law enforcement objectives with very little consideration to fairness and to the legitimacy of some of the asylum claims."

Yet, in key ways, the Trump administration is leaning on laws passed by Congress and signed into law by Clinton in 1996. Two laws, the Antiterrorism and Effective Death Penalty Act and the Illegal Immigration and Immigrant Responsibility Act, toughened immigration enforcement. They made more people deportable and deportations in the years after 1996 skyrocketed. It also put more immigrants in detention, even for small crimes.

"I certainly regret the fact that Donald Trump is president," says Meissner. "I think that his approaches toward immigration are not in the best interest of us as a country." She says the executive branch is guided by laws that Congress passed, but has some discretion about how to implement them.

"I am very uncomfortable with the approach that the Trump administration is taking. But I don't feel any responsibility for it. The choices that they are making are very different choices from those I made and that the Clinton administration made."

Meissner says Ana's case is part of a "refugee flow" not an "economic migrant flow."

"She may wait years for a hearing," says Meissner, now a senior fellow at the Migration Policy Institute, a nonpartisan center in Washington, DC. "The immigration courts are extremely backlogged and that is the problem in the system."

This administration is not distinguishing between potential asylum seekers and economic immigrants, says Pasquale Lombardo, an immigration attorney who has been advising some of the migrants who travelled with the Central American caravan. Lombardo says it has always been difficult to get asylum for fear of gang violence, but now, DHS prosecutors are becoming more aggressive no matter why someone enters the US without authorization.

"If you're encountered, you are a priority. And they will arrest you. And put you in deportation proceedings," he says.

More: 20 years ago, asylum seekers were not automatically put in immigration detention

Ana says that in Honduras she was threatened. Her younger brother refused to join a gang, so a gang member demanded that she pay them off or be killed. She knew the threats were real. Ana worked in forensics in one of the most dangerous areas of the country. She says she saw bodies wrapped in canvas on the streets.

Terrified — and pregnant with her second child — Ana, her boyfriend and daughter, with about US\$100, headed north to Mexico. They ran into something unexpected.

A caravan of migrants, hundreds of them, were also heading north with activists to raise awareness of the violence and poverty Central Americans are fleeing. They wanted the US to see how dangerous their journey can be.

Ana and her family joined the group. Then, Trump weighed in. He posted a demand on Twitter, that the Mexican government stop the caravan.

"Mexico has the absolute power not to let these large 'caravans' of people enter their country. They must stop them at their Northern Border," he wrote in a barrage of tweets on April 2.

Alex Mensing, an organizer with the non-profit Pueblos Sin Fronteras, watched in amazement. "I think I didn't personally realize a tweet from Donald Trump would sort of skyrocket the caravan into the media like it did."

Mensing says, on one hand, he saw this as a teachable moment, a chance to educate the American public about the crisis in Central America. But he also says the president's tweets put a lot of pressure on the migrants.

"There was a lot of uncertainty about whether the caravan would continue," he says.

The caravan slowed down and Ana, approaching her ninth month of pregnancy, decided with her family to leave the group and take buses north. Things went smoothly until they reached the border near Texas. They arrived at night and as soon as they got off the bus, she says, a man grabbed her daughter's hand. Ana says cartel members took them and other Central American migrants hostage.

It would cost US\$11,000 to free Ana and her daughter, plus US\$3,000 for Ana's boyfriend. Ana's family managed to pay the ransom for her and her daughter. Her boyfriend got left behind.

Even if she had known about the importance of presenting herself at a port of entry in order to ask for asylum, Ana had no say in where her captors dropped them off. At the banks of the Rio Grande, the kidnappers ordered them both to strip down to their underwear, wade up to a makeshift raft and hop on. Midway across the river, the raft capsized. Stunned, Ana says she and her daughter swam to the other side and walked for about half an hour. A Border Patrol van approached them. Ana did not know to ask for asylum or say she was in danger back home.

And, she says, no one asked.

A month later, Ana is in Connecticut at her aunt's house. As she promised, after giving birth, she checked in with the local immigration office. They put an electronic ankle monitor on her. She has no court date yet, and no lawyer.

"Do you think the baby looks like his father?" she asks.

It's an old house with few windows and the kitchen is hot in the early summer sun. Ana pulls out a picture of a

handsome young man, her boyfriend and the father of her child. She's unsure where he is right now. She also shows me a little map that an immigration official gave her of where she can move freely: Connecticut, New York, New Jersey.

Immigration officials told Ana that they would come to her home every Friday to scan her ankle bracelet. So on one Friday in May, she waits for the visit. She serves her daughter Fruit Loops, plays tic-tac-toe and watches daytime television. Time moves slowly, pierced by the occasional wail of her newborn or her toddler throwing a tantrum.

For the most part, nothing happens. She just waits.

A spokesperson for DHS told PRI the agency has seen more people enter the US on the southern border. Customs and Border Protection reports that it apprehended about 75,000 people crossing the border in March and April 2018; almost 27,000 of them were traveling in families or were children traveling alone.

Arresting and prosecuting all of these people is putting a strain on the system. The Los Angeles Times reports that the "zero-tolerance" policy has already led to federal courts packed with people charged with crimes. Immigration agencies, which oversight bodies already say are stretched too thin, will also feel the crush.

The Boston field office for Immigration and Customs Enforcement handles cases in Connecticut. They did not return requests from comment on their caseload. But in 2017, DHS reported to Congress that the agency monitors 53,000 people every day as an alternative to detention. There are more than 2 million people being supervised by the department; in 2017, a spokesperson told PRI there were about 6,000 agents to do so.

After eight hours of waiting, no one shows up at Ana's aunt's house. She breaks down and pounds the table.

"He wanted to do this for us," Ana sobs. "Not even for himself. For the kids. And look where we are now."

She pulls herself together, rubs the skin under her ankle monitor and takes another look down the street.

But nobody comes.

How The Trump Administration's 'Zero Tolerance' Immigration Policy Is Playing Out In California : NPR

By Kirk Siegler

NPR, May 18, 2018

It's unclear whether the Trump administration's new "zero tolerance" policy at the border will have its intended effect of deterring illegal border crossings. Some in the San Diego area welcome the crackdown, believing lax immigration enforcement plagues the border lands.

MARY LOUISE KELLY, HOST:

Next we're going to take a closer look at how the Trump Administration's new zero tolerance policy against illegal

immigration is playing out in California. The administration says it plans to criminally prosecute anyone who crosses the U.S.-Mexico border illegally. That is a change from long-standing practice of simply turning back first-time offenders with no criminal records. As NPR's Kirk Siegler reports, there are plenty in the region who welcome the crackdown.

KIRK SIEGLER, BYLINE: As a general rule, the farther you travel away from the densely populated California coast, the more conservative the views get. In the deserts east of San Diego where the sprawl gives way to horse farms and ranches, Pine Valley is a tiny blip of a town. It's near a Border Patrol checkpoint along Interstate 8.

CORY PETERSON: Good morning. How are you?

SIEGLER: Major's Diner is a popular hangout for Border Patrol agents on break and the many retirees who have settled here lately, like Cory Peterson.

PETERSON: Might as well enforce it, you know, and keep the riffraff out as much as you can.

SIEGLER: Peterson says the Trump administration's zero tolerance means they're just following the laws on the books.

PETERSON: I feel like they should've done it a long time ago.

SIEGLER: Dianne Jacob has represented this area on the San Diego County Board of Supervisors since 1993. She says drug and human smuggling over the border has gotten more sophisticated and dangerous.

DIANNE JACOB: And we're not just talking about Mexican nationals. We're talking about people from other countries coming across to here. And their motives are not pure.

SIEGLER: Jacob says it's not like it was back in the '70s when she was a schoolteacher here when most people were just crossing the border looking for a job. She still has some sympathy for those folks.

JACOB: Somebody that's, say, coming over for work – it's wrong. It's illegal. You know, it's the law. But if they come across once just to find work, then, hey, give them a break.

SIEGLER: Jacob welcomes the Trump administration's crackdown. But like a lot of Republican leaders along the border, her tone on zero tolerance is nuanced.

JACOB: I'm not sure that the policy to do that could be effective just because of the resources that would be needed to prosecute.

SIEGLER: And she's not the only one asking that question. Ev Meade directs the University of San Diego's Trans-Border Institute. He points out that there is already a huge backlog of immigration cases on the order of 700,000.

EV MEADE: They would be taking on potentially thousands of prosecutions, and they would be thousands of prosecutions that would go into the regular court system. And they'd also have to provide counsel and defense counsel for all these folks.

SIEGLER: Meade says this could distract prosecutors from the serious criminal immigration cases. He thinks zero tolerance is mostly optics.

MEADE: It's the sort of shadow play of politics. It's, you know, making a claim to particular political constituencies in the United States that the administration is tough on the border and tough on immigration.

SIEGLER: Not so, says Dianne Jacob.

JACOB: I don't think it's optics, not with this administration. I think this administration means business, and I think that's good.

SIEGLER: Attorney General Jeff Sessions recently rushed 35 more criminal prosecutors down to the southwest border and assigned 18 more immigration judges to deal with the backlog. Now, that might not make a big dent, but it could send a strong message of deterrence to people who are trying to cross illegally or showing up at the ports of entry asking for asylum.

The administration's cause celeb was the recent highly publicized caravan of Central American asylum-seekers that were held up at the border in Tijuana. Despite all of the drama, most of the caravan has now been allowed into the U.S. detention system. And here in Tijuana today, only a handful of the members are still in limbo.

In this cafe, families are sitting on couches, looking stressed as they wait to talk to pro bono attorneys.

ERIKA PINHEIRO: (Speaking Spanish).

SIEGLER: Attorney Erika Pinheiro is advising them to apply for asylum here in Mexico instead. They either don't have a strong enough case for the U.S. or don't want to be separated from their families. So it would appear then that the zero tolerance is having a deterrent effect. But Pinheiro isn't convinced.

PINHEIRO: I've personally spoken with thousands of asylum-seekers. And despite the advisals that, you know, you're going to be detained; your case might be rushed, the people who still make the decision to go tell me that if they stay, they'll lose their lives.

SIEGLER: Pinheiro says desperate people will try to cross no matter how difficult it becomes. Kirk Siegler, NPR News, San Diego.

What Does 'Right' Look Like At The U.S. Border?

Cipher Brief, May 20, 2018

Six years ago this month, almost to the day, Cipher Brief CEO & Publisher Suzanne Kelly accompanied then-Border Chief Michael J. Fisher to the U.S. Border with Mexico, seeking a better understanding of the complex geography and tactics required to patrol each section of the often treacherous divide. Back then, Fisher's most immediate concern was terrorists coming into the U.S. Even then, Chief

Fisher candidly shared that there was no way to completely secure the border.

Around the same time, the then head of SOUTHCOM, General John Kelly, who now serves as President Trump's Chief of Staff, was busy making a case to Washington policy makers that they needed to pay closer attention to transnational crime routes leading to – and across – the U.S. divide. Kelly wanted Congress to see what he was seeing – concerning activities along traditional crime routes that could be easily infiltrated by terrorists.

Today, amid the Administration's controversial immigration policies, construction of a border wall and a crackdown on sanctuary cities, U.S. Attorney General Jeff Sessions is pushing a zero tolerance policy on illegal immigration. But just how realistic is it?

Cipher Brief Expert and former Chief of the U.S. Border Patrol, Mike Fisher talked with The Cipher Brief's Brad Christian about why a zero tolerance policy might be nice in theory, but is practically impossible to enforce. Here's why.

Christian: What was your reaction to Attorney General Jeff Sessions' announcement of a zero tolerance policy?

Fisher: There was a program that was started years ago, where we tried this under previous administrations. The challenge, if you want to prosecute everybody for illegal entry is the federal court systems. Even though the numbers are down now, let's just say on average that Border Patrol Agents are apprehending say, 500 people a day, the Marshals Service, which does the intake, doesn't have the detention space to hold them, so we do not have the capacity to be able to do that. It's a good concept, but not realistic when it comes to the practical application over time. Also, there are always going to be exceptions to prosecution. And it's not just the prosecution necessarily, it's because often times the courts are backed up and you can't detain people for an extended period of time, for a variety of reasons, under the current immigration law, so it ends up being a glorified administrative process, where the people are formally charged under the federal statute, but released to their own recognizance. For the Marshals Service, it's also a lower priority compared to all of the other felonies and federal charges within their jurisdiction. That sends a signal to the U.S. Attorney's office which otherwise would not accept those cases for prosecution. So if they do accept those cases for prosecution, it comes down to what is the through-put of the system for detention and getting the cases on the docket and in front of a judge. And then what do you do in terms of sentencing? In the case where you have a first-time entrant, with no prior convictions, who was coming across to seek a better life for their family- what is the right sentencing for that? So I think it sends more of a signal that we are getting back to the rule of law, and we are going to start enforcing the immigration laws, but when you look at it practically, they are going to reach a limit in their capacity to do that.

Christian: That's a really interesting point, especially since the Attorney General specifically said, "You will be prosecuted". The Border Patrol Officers don't have a lot of down time. I read today that the Department of the Interior is sending officers from the National Park Service to augment Border Patrol. The U.S. Military has also been called upon to assist, in a supporting role. So two questions: Is this enough? And how long can we sustain this level of support for Customs and Border Patrol?

Fisher: Some of this has to do with sending a message about how serious this administration is taking border security, and really trying to reverse the previous administration as it relates to border security and prosecution. I'm not saying that as a pejorative, I just think some of it has to do with "we are really serious about this". In truth, the Park Service, the Department of the Interior and Bureau of Land Management have been, and are in those locations where they have jurisdiction. Think about the National Parks, Arizona in particular. 70% of the border is government-owned land, so they typically have a law enforcement presence within those departments. So it's not like we are just starting to work together. We've done a lot of integrated operations with the Park Service, and others. By the way, people often think about Operation Jump Start where in 2006 we were doubling the size of the organization and the administration brought in up to 6000 National Guard troops for 2 ½ years. And that was designed to be a bridge to give us the opportunity to hire, train and deploy 6000 agents in 2.5 years. So people think of those types of large deployments and may say "Oh my gosh". What people may not realize is that in between those large deployments, including the most recent, the National Guard has been on the border assisting with National Security and Border Security missions. Engineers are down doing road improvements throughout the year. As a matter of fact, there is an entity on Biggs Army Airfield which is a sub-command of USNORTHCOM up in Colorado Springs. And it's JTF North. JTF North is specifically funded to support civilian law enforcement, and the vast majority of that support is with the Border Patrol, doing missions on the border. So this is an op-tempo that happens all the time. And this current deployment is going to be the same type of thing. A question I hear a lot is, "Is this needed or not"?

My question has always been "What is the end state"?

There is a broader discussion about the President's January 25, 2017 Executive Order. He stipulated what the end state is, but the question is- How do you know when you get there? How do you know when you are close to and can measure, and are winning when he says he wants to achieve "complete operational control"? That's a larger discussion on how you measure that, and what should be measured. But right now, they are just in the activity mode, where doing things gets people excited and communicates 'we are taking things seriously'. And that's what you're seeing here, that's

what the wall was, that's what the National Guard deployment is, that's what all of the talk of prosecution is with the Attorney General. This is a message saying 'this is important to us'. Border Security was a fundamental platform early and often with the administration. I think coming up to the mid-terms, they want to make a stance that they are going to be strong on border security.

Christian: So, I think clearly this message is having an impact here in the U.S. Do you have any sense that this message is having an impact across the border in ways that are helpful to that end state?

Fisher: Absolutely. If you just look at the entries and the apprehensions six months before and after the elections, as some media have reported, those numbers have gone down. I continue to be an adjunct with the Institute for Defense Analysis and we have studied this for a long time, and what is interesting is that policies do have an effect, and a correlation with the flow rates into this country. If you look at the numbers right now, it's the lowest rate, I think, since 1972. So the flow rate is down.

The other thing that is different, was about this 'caravan' that the media was tracking. This happened not too long ago and in fact I think they are still adjudicating some of those cases at the San Diego port of entry. What's interesting is that back a couple of years ago, we first started to see a real increase in the number of women and children coming in from Central America. We didn't call them caravans, which is a really good buzzword for the media but in the summer of 2014, we first noticed a real increase in the numbers. What was happening then was they were coming across in between the ports of entry, and the border patrol agents were apprehending them, and processing them, which distracted from the primary border security mission. Today, what they are doing is taking themselves to the port of entry. And the reason is they are now following the law, to improve the chances that they will get an affirmative, adjudicated case for political asylum. The moment they come into this country illegally, it's almost impossible for them to make that legal case. So the NGO's have learned. They've always known what the law is, but what they are now doing is changing the manner in which these people are presenting themselves for these applications. And they are doing it because they know that this administration is going to enforce the law. So I've seen that change, in terms of a change in policy and how that affects flows into this country at the ports of entry.

Christian: Focusing on the criminals and cartels a bit, how are they now using technology to accomplish their mission and how is the U.S. using technology to combat them?

Fisher: Three things come to mind. First, information is more valuable today than it was five years ago within DHS, and specifically within Customs and Border Protection. It's not a problem of collecting it, it's a problem of analyzing it and

using it to drive operations. We knew that then, but we are still behind the curve on it. And by the way, David Glawe, the current Under Secretary for Intelligence and Analysis for the Department of Homeland Security (DHS) is ramping up analytical capability. I think often times that's the one piece that people take for granted. Now, you've got these huge companies like Google that manage that, but all of us are just using iPhones like we never thought possible and we don't even think about how do you manage all that? This whole thing about data and capability is something that I think the Department is looking into right now to help drive future operations, that's the first piece.

The second is the advancement of technology as its being applied in unlawful ways. The use of that technology is outpacing our ability to think about and understand what the policy implications are and what the policy should be. I'll give you a good example: the first time we saw this when I was still in, was when the smugglers started using cell phones on the mountaintops in Arizona to direct smuggling organizations as they were trying to evade border patrol agents. We couldn't come to terms as a government between NSA and CIA and DHS, about what we could or couldn't collect off of a foreign national, illegally in the United States, with information bouncing between a tower in Mexico and in the United States. Whether we could DDF it – detect direction and find – or whether we could under title three, listen in on those conversations to figure out who those people were. I think we still haven't figured that one out. Now you fast-forward and we've started seeing Ultralights come across the border. And what about the use of force? What can we do to stop them? The best we were able to do was give them an armed escort back south with a UH60 Black Hawk helicopter because after the first time, when they started landing and we were apprehending them, they just changed their tactics, techniques and procedures and they would fly across at a higher altitude and just never land. They would just drop their bundles and fly back south. We didn't have a policy that laid out whether we could shoot them. So that was a policy thing and the threat still continues. What we're dealing with right now is the next generation which is the small, unmanned, aerial systems. And it's not just DHS, these are police departments grappling with this. Today, all you have to do is call Amazon and within 24 hours a drone is delivering sneakers to your front door. Everyone thinks that's great and it is, but 18 hours later, some bad guy is figuring out how to exploit that technology for illegal purposes. So how do we – as a government – stay ahead, not just with the technology to defeat it, but with the policy, in a way that is consistent within our Constitution? In some of these environments the end state driven by the technology solution – has worked very well with the military, but in civilian law enforcement, a kinetic ending is not acceptable.

Christian: We recently spoke with Dr. Michael Vickers at The Cipher Brief Threat Conference and I asked him whether the military – in particular – special operations teams – could keep up with the pace of operations while still preparing for the next threat. The answer was a little troubling: that we have some gaps there. It seems like the threats from technology on the law enforcement side are advancing so fast that we also haven't been able to get in front of them.

Fisher: Certainly the technological advances are happening at a pace that even if you had a small, nimble organization that could move quickly and make policy changes and considerations – the adversaries that run these networks – they're always changing. When you're looking at broad policy determinations and you're looking at law enforcement, you're talking multiple jurisdictions. It's not just like one military, so the Department of Homeland Security and their Science and Technology division, has been researching these counter-drone capabilities and they have certain specifications as it relates to the federal space and the type of customers like ICE and Border Patrol that will be using these. Then you look at what the Texas Rangers just put out about two weeks ago on a requirement for the same thing, counter-drone technology, but their requirements are totally different. So you have state law, you have federal law and there's not one overriding policy consideration that will take care of all of it.

Christian: What worries you most today about what's going on at the southern border of the United States?

Fisher: The fact that we haven't been finding tunnels at a very high frequency lately. That's probably first and foremost. When we're all of a sudden 'not' catching narcotics in a particular area, and some people think well, we finally beat them. I've always been of the opinion, well, they're beating us, we just haven't figured out how. When was the last time you heard about a large cocaine seizure along the border? It's been a long while. You know the Coast Guard will seize something and they'll have a media event, but if you take a look at what is actually seized at the ports of entry, and then you compare that with consumption rates in the United States, there's a huge delta. It's getting in somewhere. So, I just don't think they've stopped building tunnels. I remember the last one. I was in San Diego at the time and that one was 80 feet deep. What the cartels used to do was hire a bunch of people to dig a hole and it wasn't very big at all, maybe 100 meters and once that tunnel was done, they took all the people who were working on that and they killed them and their families in order to keep everybody quiet. Then you fast forward to when the cartels changed their tactics and hired some of the best engineers in the world and they realized it was a lot easier to buy silence than to get it through intimidation. They've been getting better and better at subterranean threats. and our capability to detect it in a traditional way with ground penetrating radar, all the things,

and the government to my knowledge, doesn't have a program whether its across Department of Defense or within Department of Homeland Security – I think DHS and CBP in particular is moving forward with the very first program of record for subterranean threats of tunnel detection. Up until this point, it's been one of those things that's out of sight, out of mind, so that's one thing I still just don't think we've fixed yet. I'd love to be proven wrong.

38 Illegal Immigrants Warehoused In 'Deplorable Conditions,' Says Border Patrol Official

By Bob Price

[Breitbart](#), May 19, 2018

Border Patrol agents found 38 illegal immigrants being warehoused in "deplorable conditions" in a small house in Laredo, Texas, an official stated.

Laredo Sector agents working with Webb County Sheriff's Office deputies observed suspicious behavior in a home located on Laredo's south side not far from the unprotected Rio Grande River border with Mexico. Agents and sheriff's deputies entered the residence after obtaining permission and discovered 38 illegal immigrants packed into the small home, according to information obtained by Breitbart Texas from Border Patrol officials.

The neighborhood appears to be comprised of small homes and mobile homes.

"United States Border Patrol continues to work in coordination with our law enforcement partners at Webb County Sheriff's Office and these collaborative efforts, as this enforcement action illustrates, continue to help disrupt illicit activity and deny criminal organizations the ability to operate," Laredo Sector Assistant Chief Patrol Agent Gabriel Acosta stated. "We will continue to work with our law enforcement partners to prosecute those responsible and prevent individuals from being subjected to deplorable conditions."

Officials said the illegal immigrants pictured above came to the U.S. from El Salvador, Honduras, Guatemala, and Mexico.

This part of Laredo is near the area where more than 230 Bangladeshi nationals have been arrested this fiscal year after they illegally crossed the border from Mexico. Officials arrested eight Bangladeshi nationals in Laredo earlier this week.

U.S. Immigration and Customs Enforcement's Homeland Security Investigations agents worked with Laredo Sector Border Patrol agents earlier this month to disrupt another Laredo stash house, Breitbart Texas reported. The agents found 36 illegal immigrants from Guatemala, Mexico, El Salvador, and Honduras, officials stated.

The migrants are now subject to prosecution in criminal court for illegally entering the U.S. according to a "zero

tolerance" policy put in place by U.S. Attorney General Jeff Sessions this month.

The attorney general said his department will refer anyone who enters the United States illegally for prosecution, Breitbart News reported.

"And the Department of Justice will take up as many of those cases as humanly possible until we get to 100 percent," Sessions said as part of a speech at a law enforcement conference in Arizona.

US Border Agents Seize \$331,000 In Mexican Meth In Jalapenos, CBP Says

Miami Herald, May 18, 2018

U.S. border agents in Texas arrested a man and two women on Tuesday after the trio tried sneaking methamphetamine into the country from Mexico, according to U.S. Customs and Border Protection.

A 29-year-old man and two women, 22 and 28, attempted to smuggle the narcotics across the Gateway to the Americas Bridge, which carries cars and walkers over the Rio Grande between Laredo, Texas, and Nuevo Laredo in Mexico, border agents said. All three suspects were U.S. citizens.

But before they could make it into the county, agents referred all three pedestrians for a secondary examination, the agency said. Using a drug-sniffing dog and non-intrusive imaging systems, agents uncovered what they were looking for: Hidden away in their baggage, inside what appeared to be cans of jalapenos and hominy, was 23.63 pounds of meth, agents said.

On the street, that drug haul would sell for around \$331,000, the agency said. SIGN UP

Agents seized the drugs and arrested the three suspects, according to Customs and Border Protection. The case has been passed along to Homeland Security Investigations special agents.

Laredo Port of Entry Director Alberto Flores praised agents for using their instincts and intercepting what he called "a significant load of hard narcotics hidden within canned produce."

Disguising drugs as jalapenos has been a hot (pun intended) way to smuggle drugs into the U.S. in recent years.

Border agents seized 655 pounds of what appeared to be marijuana in a tractor-trailer carrying jalapenos into Pharr, Texas, in May 2017, according to border agents. The 57 marijuana-filled packages in the truck — worth about \$130,953 — were mixed in with the shipment of spicy peppers, the agency said.

On the other side of the country, border agents seized \$140,000 in meth concealed in jars of nacho cheese and jalapeno peppers at a Tijuana border crossing in 2011, the Los Angeles Times reports. The driver tried bringing the

drugs into the country in his car, but an X-ray revealed his purported "grocery shopping" was more than met the eye.

Border Patrol Arrests American, 4 Hondurans In Arizona Chase

U.S. News & World Report, May 19, 2018

Border Patrol agents from Arizona's Tucson Station say they have arrested a U.S. citizen and four Honduran nationals after a failed human smuggling attempt that led agents on a pursuit.

The Border Patrol said Friday that agents on Thursday had tried to stop a sedan for an immigration inspection near the southern town of Sasabe close to the border with Mexico, but the driver of the vehicle sped away eastbound toward the community of Arivaca.

The agency used a helicopter to help with the pursuit.

Border officials arrested the driver, two passengers in the car and two other in the trunk after the vehicle stopped in Arivaca.

Troops Have Been On The Border Long Before Latest Texas Guard Mission

San Antonio Express-News, May 21, 2018

Missions like the one undertaken under President Donald Trump's order in early April to deploy 4,000 guardsmen to support federal authorities from Texas to California also were authorized by Presidents George W. Bush and Barack Obama. The 4,000 deploying this spring is more than Obama's Operation Phalanx, which started in 2010 and involved 1,200 soldiers, but smaller than Bush's Operation Jump Start, which saw 6,000 troops on the border in 2006.

Well before these 21st-century presidents authorized the government to pay the costs of deploying guardsmen to the border, instability and upheaval brought soldiers to the region repeatedly. It's a history that goes back 172 years.

"It is not something new," said retired Army Command Sgt. Maj. Bill Manchester, an Air Force historian familiar with the period. "It is something very old."

As a timeline provided by retired Fort Sam Houston Museum director John Manguso shows, the border has had issues at least since statehood. Mexican troops crossed the river at Matamoros on April 25, 1846, ambushing a U.S. patrol. That's all it took to start a war that profoundly changed the map of North America and set in motion a string of recriminations that continue to this day.

President James K. Polk based his declaration of war with Mexico on the ambush, saying a few weeks later that it triggered the shedding of "American blood upon American soil," according to the Handbook of Texas Online. Gen. Zachary Taylor then defeated a larger group of Mexicans led

by Gen. Mariano Arista in battles at Palo Alto and Resaca de la Palma.

Bloodshed along the border always gave birth to more violence, and that was just the start. The relatively brief Mexican War was followed by Comanche and Kiowa raids that grew worse with the opening salvos of the Civil War, when attacks increased as U.S. troop strength waned along the border.

Even before the war, there was fighting, this time from a veteran of Palo Alto and Resaca de la Palma, Juan Nepomuceno "Cheno" Cortina, sometimes called the Red Robber of the Rio Grande or the Rio Grande Robin Hood. Described by the Handbook of Texas Online as a Mexican folk hero, he held grudges against Brownsville judges and attorneys he thought had wronged Hispanics.

A confrontation in which Cortina shot a marshal who had badly treated a Mexican he arrested led to a series of incidents, one of which involved him shooting five men and taking over Brownsville in 1859, shouting "Death to the Americans!" and "Viva Mexico!"

Cortina remained on the march — or the run — until his defeat Dec. 27, 1859, in Rio Grande City. Soon after, Col. Robert E. Lee arrived and Cortina headed for the hills, only to return once the Civil War began. This time he supported the Union, defeating a Confederate captain at Carrizo in Zapata County before melting back into Mexico.

There was more trouble: a Mexico immersed in revolution followed by France's conquest under Emperor Maximilian I. It was an era when roving bands of desperadoes were as common as the resistance to Paris trying to transform Mexico into a client state of France.

The French had given up on Mexico by the late 1860s, but the specter of gunplay along the border was always near. The legendary Ranald Mackenzie, who would end Texas' long Indian war in 1874 by killing horses, rather than Comanches, raided the Lipans and Kickapoos at Remolino, Mexico, on May 17, 1873. There were more raids, some involving the famed Apache war chief Geronimo, who surrendered in 1886 and spent six weeks at Fort Sam Houston before being relocated to Florida.

In 1910, Mexico descended into revolution once more. The fighting, so bloody it's thought to have claimed a million lives, occasionally crossed over the Rio Grande. The Army assembled a Maneuver Division at Fort Sam over fears that the revolution would spill over into the U.S. Troops from states around the country went through the post's Maneuver Camp, which extended just north of the Gift Chapel to the old Brook Army Medical Center as well as present-day Medical Education & Training Campus dormitory complexes.

They also spent time at Camp Bullis before deploying. Ten Army cavalry units, four National Guard units and four infantry units rotated through more than 40 Big Bend outposts in a bid to protect the region and on occasion struck into

Mexico. San Antonio-based historian Thomas T. Smith did the first detailed study of the campaign in a book published this year, "The Old Army in the Big Bend of Texas."

Manchester, a historian for the Air Education and Training Command in San Antonio, said two things came of the increased military activity at Fort Sam, the city's oldest installation.

"First, the soldiers that occupied the Maneuver Camp and rotated down to the border would provide security for the border and greatly minimized the amount of incursions. The second outcome that came from the Maneuver Camp was that we had a large body of soldiers by the time World War I begins in 1917 that had some kind of formal training with the Army," he explained. "But it gave us that extra training so that by 1917, even though we were recruiting large numbers of troops to go overseas, we had a large body that already had some military experience along the border."

A mobilization of 100,000 National Guard troops in 1916 was driven by a raid on Columbus, New Mexico, by Pancho Villa, one of the most famous desperadoes of all time. With most of the regular Army deployed along the border, with Gen. John J. Pershing leading the Punitive Expedition, friction with the Mexicans increased.

In "Blood on the Border — the United States Army and the Mexican Irregulars," author Clarence C. Clendenen details Mexican resentment over Pershing's mission. Pershing had a blunt response when told by Mexican Gen. J.B. Treviño that U.S. troops moving south, east or west would be attacked.

"You are informed that my government has placed no such restrictions upon the movements of the American forces," Pershing replied. "I shall therefore use my own judgment as to when and in what direction I shall move my forces in pursuit of bandits or in seeking information regarding bandits."

Pershing had 12,000 men, motorized vehicles, cavalry and observation planes, while Villa was supported by a force of 500 men, according to the Veterans Museum of Balboa Park. The expedition went 400 miles into Mexico but rarely encountered serious resistance.

The elusive Villa was never caught.

Pershing soon left for Europe, where he headed the American Expeditionary Force in World War I, but the U.S. kept at least two divisions of troops between Brownsville and the California state line from 1917 to 1918. The last significant armed incursion into the U.S. from Mexico occurred in 1921.

Today, the Texas Army National Guard is assembling a force of more than 1,400 soldiers along the state's border with Mexico. More than 900 were in place May 4. That force is far larger than the 100 or so guardsmen that Gov. Greg Abbott had previously sent there to help support the Texas Department of Public Safety and federal agencies.

The big difference now is who pays the bill.

The small band of Texans sent by Abbott under "Operation Secure Texas" was often paid for by state taxpayers until Trump's initiative. Those who began heading for the border several weeks ago are funded by the federal government, and like those in previous missions, they will be limited in what they can do.

They'll support state and local officers but won't act as law enforcement officers.

In an April 9 appearance on KTSA-AM, Abbott told talk show host Trey Ware that "we want to downplay any notion ... that our National Guard are showing up with military bayonets trying to take on anybody coming across the border, because that is not their role."

The governor said the guard would play a support role for federal authorities, "providing that surveillance, providing other levels of activity so that there will be more Border Patrol boots on the ground who are actively engaged in the apprehension process."

How To Boost Border Security While Protecting Privacy

NextGov, May 18, 2018

With the advent of artificial intelligence and machine learning, there are now many new tools available to help border control agencies identify potential criminals and predict criminal cargo shipping activity.

However, for each step forward, we should be wary of the impact to personal privacy. The data used to fuel these new systems—and the resulting intelligence reports—could be vulnerable to data breaches and other types of hostile hijackings.

Yet while these concerns are real, the tools themselves bring great value to law enforcement and border security. The ability to better target criminals by identifying suspicious patterns of behavior elevates the quality of border patrol work and enables better protection. Existing mechanisms, which involve rudimentary pattern matching, are sometimes effective but often yield way too many false leads.

New machine learning tools free up busy security agency personnel and allow them to spend more time stopping legitimate threats and less time pursuing false leads. These artificial intelligence-based systems have the ability to learn and improve through each analysis. If a border agent inspects a cargo shipment flagged as potentially risky and finds nothing, that result goes back into the system and the targeting algorithms are automatically updated to be more accurate.

The fact that machine learning uses massive amounts of data culled from local, state and federal agencies, social media, personal travel histories and police departments, raises the question about how the data—which is likely to include sensitive information like bank records and criminal

histories—is amassed and stored. Extraordinary precautions must be taken to ensure that storage and access to the data fully complies with local and international laws. Cutting-edge security must be built into the very foundation of the network.

As we've seen many times in recent years, data can sometimes be accessed through third-party systems down the supply chain. To prevent unauthorized users from accessing the information, tools used by customs agents should have security design principles such as "deny by default" and "least privilege" built into their systemic DNA so that data is secure and used only for its intended purpose. There are four ways that this can be achieved:

Microsegmentation

Superior security can be achieved through microsegmentation of the system so trespassers encounter only smaller, compartmentalized environments. In other words, we can mask the broader environment—and hackers cannot hack data or networks they cannot see. This approach is far more secure than using traditional virtual local area networks and firewalls.

Multifactor Authentication

These networks must also have a multifactor authentication to verify that users are truly who they claim to be and give them access to only one port on an authorized server. This system will ensure the user is working from a device that is authorized to access the network, and it is critical to confirm that authorization before they can even see the servers. Finally, the system should also check for breaches before each interaction.

Resilience

As important as regular vulnerability assessments and segmentation are, resilience must be built into the program in order to respond quickly when a breach does occur. A good example of a standard we should all follow is the European Union's General Data Protection Regulation, which updates the rules for companies that collect, store or process large amounts of user information regarding citizens. While these EU regulations don't concern data that is relevant to national security or law enforcement, they do set a standard we should all want to follow—e.g. "data protection by design."

The Human Factor

Systems should always have human analysts making the ultimate decision so they can use plain old common sense. If a system flags a traveler who has taken regular flights with several different minors in the last year, a human should examine all evidence available to determine first if there is a potential legitimate reason or if they should be investigated further.

Intelligence analysis produced by AI tools will be a great step forward for border security agencies and for our safety. These technology tools hold the possibility of detecting and deterring criminals and threats that have slipped across borders without fear for years. However, the public will

support the use the tools only if they are assured their personal data and privacy are protected. So ensuring these programs and networks are impregnable must be among our first responsibilities.

John Kendall is the director of the Border and National Security Program for the global public sector practice at Unisys.

IMMIGRATION POLICY

Moderate Republicans Will Get A Vote To Protect DREAMers Over The Objections Of Conservatives

BuzzFeed, May 18, 2018

The House will vote on legislation to save the DACA program before the end of June, in a rare victory for Republican moderates over immigration hardliners in their own party.

Moderates had been threatening to go over House Speaker Paul Ryan's head and force a series of votes to extend DACA, the program that allows hundreds of thousands of children of undocumented immigrants to remain and work in America. By partnering with Democrats, they could force the issue to the floor if 218 members signed a discharge petition — and Republican leadership would be powerless to stop it.

As their movement gained steam, Ryan offered them a deal that includes a commitment to put a moderate DACA bill to a floor vote by June 25. As part of the deal, they also won a commitment to meet with the White House to try to craft a bill that President Trump will agree to sign into law. The details have not been worked out, but the plan will almost certainly include a pathway to citizenship for DACA recipients plus funding for Trump's border wall.

The moderates weren't quite declaring mission accomplished Friday, but Rep. Mario Diaz-Balart said "the mission is looking good."

"It's put the issue back on the front burner. There are talks again. And we wouldn't be talking about this if it wasn't for the discharge petition," he said.

The deal was made over the fervent opposition of the hardline conservative Freedom Caucus. That group had been attempting to block an open DACA debate because they fear moderate Republicans and Democrats will team up to pass a bill that leans more liberal on immigration and border security.

"The mandate of the 2016 election was to deal with immigration in the right way, one where we actually build a border security wall," said Freedom Caucus member Rep. Jim Jordan. "You know what the result [of the discharge petition] is likely to be, and it's not consistent with the mandate of the election."

The Freedom Caucus had demanded an immediate vote on their preferred plan, known as the Goodlatte bill, which makes conservative changes to immigration laws and authorizes Trump's promised Mexican border wall. Moderates wanted the vote later and for the Goodlatte bill to go head to head with their own plan.

Ryan ultimately gave the moderates what they wanted. In response, many members of the Freedom Caucus helped bring down a major policy bill in a dramatic vote on the House floor Friday.

After the vote, some Freedom Caucus members were visibly angry that Paul Ryan would not give them a vote on the Goodlatte bill.

"For months and months, we've been promised we'd get to vote, right? People have told us, if you vote for [spending bills] you get the Goodlatte bill, over and over again," said Rep. Scott Perry.

For moderate Republicans, the work now is just beginning to craft a bill that can get bipartisan support, as well as Trump's signature.

"If your concern is the border and having a porous border that's what we have right now and every day is worse. If your concern is the DREAMers, every day is a nightmare for them until we solve it," said Diaz-Balart.

Moderates don't have to take Paul Ryan on his word. They still have the discharge petition as leverage, which currently sits just 22 signatures shy of succeeding. If Ryan fails to deliver on his promise, moderates can still force the issue to the floor — if they can get enough people on board.

The sponsors of the petition were cagey Friday about what their next steps will be. But they seem to be holding back on adding new signatures to the petition for now. "We have not decided when we're going to put all of them across the desk but we are continuing to add [signatures]," said Rep. Jeff Denham, who helped to lead the effort.

If the discharge petition succeeds, it would force votes on four DACA bills June 25. Denham said moderates have received a commitment from leadership for a vote on both their yet-to-be-drafted bill and the Goodlatte bill, by that date. If Ryan welches on that deal, they could still end up taking matters into their own hands.

Exclusive — Lou Barletta: 'American People Have Run Out Of Patience' With Lawmakers Pushing For Amnesty

By Sean Moran

Breitbart, May 18, 2018

Rep. Lou Barletta (R-PA) told Breitbart News in an exclusive interview Friday that the "American people have run out of patience" with Washington, DC, politicians who push for amnesty of illegal immigrants.

Congressman Barletta discussed the establishment Republican discharge petition to force a vote on an illegal alien amnesty bill.

Barletta called the move a "disaster."

Rep. Barletta told Breitbart News, "I think it would be a disaster. We finally have an opportunity to fix the problem of illegal immigration, something that I've been fighting since I was a mayor back in Hazleton over a decade ago. This is our chance. We should not even consider doing anything until we can assure the American people that the problem of illegal immigration will be over."

"You wouldn't replace the carpet in your house if you still had a hole in the roof," Barletta remarked.

Twenty-two establishment Republicans have signed a discharge petition to force a House Floor vote on an illegal alien amnesty bill. If 25 Republicans and 193 Democrats sign the petition, the bipartisan coalition can force a House vote on amnesty legislation. The House Freedom Caucus opposes the amnesty immigration bill but hopes to get a Floor vote on the President Trump-endorsed Goodlatte immigration bill.

"We should not do anything until we secure the border and guarantee the American people, not DACA and a promise, ending the ability for people to come into the country illegally once and for all," Barletta said. "We have an opportunity to end chain migration. We have the opportunity to make E-Verify mandatory. We have the opportunity to punish sanctuary cities. We have thousands of communities that have become sanctuaries for illegal immigrants. We have the opportunity to stop visa overstay."

Rep. Barletta won the Pennsylvania Senate Republican primary on Tuesday, defeating State Rep. Jim Christiana. Barletta hopes to defeat incumbent Sen. Bob Casey (D-PA) in the general election.

Congressman Barletta was one of the first lawmakers to endorse Donald Trump during the 2016 presidential election.

Barletta suggested politicians should focus on how immigration impacts the American people, rather than illegal immigrants who live in the country.

Barletta said, "When is Washington going to finally listen to the American people? What is it going to take for Washington to listen finally, and we have the opportunity to do something about that [immigration]? We can treat the DACA recipients with compassion, but we have to think about the American people, too. They should not be asked to do this again, people pouring into the country, competing with their jobs, putting the national security at risk, and the only thing people want to talk about is those who are here illegally, and we can do something for them. Why don't we do something for the American people?"

The House Freedom Caucus tanked the farm bill on Friday after the Republican leadership did not provide

adequate assurances to conservatives that they will vote on the Goodlatte immigration bill.

Rep. Barletta remarked, "Who believes a promise from Washington? That's what they said when they gave the last amnesty in 1986. We legalized them, gave them amnesty for a promise, and here we are in 2018. This should have been solved yesterday, rather than tomorrow."

The Pennsylvania Republican continued, "The American people are sick and tired of nothing being done about illegal immigration. President Trump made it a major part of his campaign. The American people responded because they're craving someone with a backbone to do something about the problem of illegal immigration. This impacts so many aspects of our country. It impacts our hospitals because illegal immigrants use them for primary health care. Our schools are impacted. It also depresses the wages of the American worker. There's nothing good about illegal immigration."

Barletta concluded, "I believe that the politicians in Washington should see the writing on the wall; the American people have run out of patience with them."

No DACA Without Immigration Reform Or Border Security

By Rep. Brian Babin

The Hill, May 18, 2018

Several moderate Republican U.S. House members are circulating a discharge petition to force a vote on the Deferred Action for Childhood Arrivals (DACA), declaring that they are only doing what President Trump wants to do. The problem is that this is NOT what the president wants to do. He's willing to agree to a DACA fix only IF there is also a deal to finally secure the border. This will only be accomplished if we end catch and release, end the diversity visa lottery program, stop sanctuary cities, implement e-verify, build a wall, and also hire more immigration judges, Border Patrol and ICE agents. In his State of the Union Address, the president set forth these pillars for immigration reform, including putting an end to the days of "chain migration" where one person can bring in an endless flow of family members, because he knows that policy really amounts to "open borders" by another name.

If 25 of our Republican House colleagues sign this discharge petition a vote will be forced, and with the support of all the House Democrats, DACA would be passed. This could lead to amnesty for as many as 3.5 million illegal immigrants with none of the above necessary actions to finally secure our border and fix our dangerous and broken immigration system. A DACA bill without border security would also hang out the welcome sign on the border for millions more to enter the U.S. illegally.

Addressing DACA without real border security would only further alienate House Republicans from our base as

well as the majority of Americans who want border security. The American people voted for a Republican majority to once and for all fix our broken immigration and refugee programs that overwhelm our schools, hospitals, prisons and law enforcement agencies, and put American citizens at risk of crime and terrorism. Illegal immigration already costs the taxpayers over \$125 billion each year. Americans are sick and tired of it. They spoke loud and clear in the last election that they wanted an end to open borders, illegal immigration, and all the other abusive, liberal, out-of-control, and dangerous policies.

I agree that Congress must act, but a DACA fix can only be a part of an overall reform of the whole system. Many great bills to fix these problems have already been introduced and are languishing in committees unable to see the light of day to be voted on. For example, Rep. Bob Goodlatte's (R-Va.) bill, Securing America's Future Act, would address most of these problems and needs to be passed.

Because of a lack of action from Congress, President Trump has tried to fix many of these problems through executive order (EO), with mixed results. The liberal courts have tried to stymie many of these attempts, such as the President's temporary restrictions on refugees coming in from several countries that are hotbeds for terrorism and for which we are unable to properly vet these refugees for terrorists. These EO's are a godsend because in the absence of action from Congress, the EO's are the only thing that would prevent harm to Americans by terrorists. However, as effective and beneficial as these EO's are now, they can and will be reversed by the next Democrat administration.

It's understandable why some Republican House members are pushing this discharge petition. Many represent marginal Republican districts and face tough reelections. To pass a DACA bill only, might help this small minority of moderate Republicans, but it would create a backlash of anger and resentment from the voters who entrusted us with the majority and elected a president who promised to uphold immigration law and secure our borders. The loss of these voters would likely lead to a loss of the House majority this November, disastrously resulting in a Nancy Pelosi speakership, a resumption of open borders, mass immigration, and an abrupt end to border security initiatives. Not only that, but a Pelosi speakership would bring an abrupt end to Trump's whole agenda, including the recent economic surge created by the Tax Cuts and Jobs Act and regulatory rollback which Ms. Pelosi just promised to reverse.

The time for congressional action on the border is now. The American people demand it and know it's the most serious threat to the dream of a bright future of prosperity, order, and security for America. We must not be distracted or sidetracked by an obscure parliamentary procedure in which two dozen Republicans align with and turn the House floor over to the Democrats. Addressing DACA while failing to

secure our borders could destroy the best chance we have to preserve our country's integrity. No other nation has done so much for the downtrodden, the persecuted, and the afflicted people of the world as America, but we can no longer take in such overwhelming numbers of other nations' people and long survive. No nation can be sovereign without secure borders, an orderly immigration policy, and the rule of law.

Babin represents Texas's 36th District.

Conservative Revolt Over Immigration Sinks House Farm Bill

By Andrew Taylor

Associated Press, May 18, 2018

WASHINGTON (AP) — In an embarrassment for House Republican leaders, conservatives on Friday scuttled a bill that combines stricter work and job training requirements for food stamp recipients with a renewal of farm subsidies popular in GOP-leaning farm country.

Hard-right conservatives upset over the party's stalled immigration agenda opposed the measure, which failed by a 213-198 vote. Some 30 Republicans joined with every chamber Democrat in opposition.

The vote was a blow to GOP leaders, who had hoped to tout its new work requirements for recipients of food stamps. The work initiative polls well with voters, especially those in the GOP political base.

More broadly, it exposed fissures within the party in the months before the midterm elections, and the Freedom Caucus tactics rubbed many rank-and-file Republicans the wrong way. A handful of GOP moderates opposed the bill, too, but not enough to sink it on their own.

"You judge each piece of legislation on its own," said Rep. Tom Cole, R-Okla. "You don't hold one thing hostage for something that's totally different and has nothing to do with it. I would say that's a mistake in my view."

Key conservatives in the rebellious House Freedom Caucus opposed the measure, seeking leverage to win procedural advantages to in a debate on immigration next month. Negotiations with GOP leaders Friday morning failed to bear fruit, however, and the unrelated food and farm measure was defeated.

Conservative Rep. Jim Jordan, R-Ohio, said some members had concerns over the farm bill, but said, "That wasn't my main focus. My main focus was making sure we do immigration policy right" and "actually build a border security wall."

Beyond the drama and infighting among Republicans, the debacle appears to make it even more likely that Congress will simply extend the current farm bill when it expires in September.

The farm bill, a twice-per-decade rite on Capitol Hill, promises greater job training opportunities for recipients of

food stamps, a top priority for House leaders. Democrats are strongly opposed, saying the stricter work and job training rules are poorly designed and would drive 2 million people off of food stamps. They took a victory lap after the vote.

"On a bipartisan basis, the House rejected a bad bill that failed farmers and working families," said Minority Leader Nancy Pelosi, D-Calif. "Republicans wrote a cruel, destructive Farm Bill that abandoned farmers and producers amid plummeting farm prices and the self-inflicted damage of President Trump's trade brinkmanship."

Currently, adults 18-59 are required to work part-time to receive food stamps, officially called the Supplemental Nutrition Assistance Program, or agree to accept a job if they're offered one. Stricter rules apply to able-bodied adults 18-49, who are subject to a three-month limit of benefits unless they meet a work or job training requirement of 80 hours per month.

Under the new bill, the tougher requirement would be expanded to apply to all adults on SNAP, with exceptions for of seniors, pregnant women, caretakers of children under the age of 6, or people with disabilities.

"It sets up a system for SNAP recipients where if you are able to work, you should work to get the benefits," said Ryan, R-Wis. "And if you can't work, we'll help you get the training you need. We will help you get the skills you need to get an opportunity."

The measure would have greatly expanded funding for state-administered job training programs, but Democrats and outside critics say the funding for the proposed additional job training would require huge new bureaucracies, extensive record-keeping requirements, and that the funding levels would fall far short of what's enough to provide job training to everybody covered by the new job training requirements.

"While I agree that there are changes that need to be made to the SNAP program, this is so clearly not the way to do it," said Rep. Collin Peterson of Minnesota, top Democrat of the Agriculture Committee. "The bill cuts more than \$23 billion in SNAP benefits and will result in an estimated 2 million Americans unable to get the help they need."

He said it "turns around and wastes billions ... cut from SNAP benefits to create a massive, untested workforce training bureaucracy."

In addition to food stamps, the measure would renew farm safety-net programs such as subsidies for crop insurance, farm credit and land conservation. Those subsidies for farm country traditionally form the backbone of support for the measure among Republicans, while urban Democrats support food aid for the poor.

On Thursday, supporters of the agriculture safety net easily defeated an attempt to weaken the government's sugar program, which critics say gouges consumers by propping up sugar prices.

The measure mostly tinkered with farm programs, adding provisions aimed at boosting high-speed internet access in rural areas, assist beginning farmers, and ease regulations on producers. But since the measure makes mostly modest adjustments to farm policy, some lawmakers believe that the most likely course of action this year is a temporary extension of the current measure, which expires at the end of September.

In the Senate, the chamber's filibuster rules require a bipartisan process for a bill to pass. There, Agriculture Committee Chairman Pat Roberts, R-Kan., promises a competing bill later this month and he's signaling that its changes to food stamps would be far more modest than the House measure.

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House Farm Bill Collapses Amid Republican Disarray

By Glenn Thrush And Thomas Kaplan

New York Times, May 18, 2018

WASHINGTON — The House, in a striking display of Republican division, rejected a massive farm bill on Friday that would have imposed strict new work requirements on beneficiaries of federal food aid while continuing farm subsidies popular with rural voters.

The twice-a-decade farm policy measure failed on a 213-to-198 vote, after a key bloc of conservatives rebuked Speaker Paul D. Ryan over his refusal to schedule an immediate vote on a restrictive immigration bill sponsored by the House Judiciary Committee chairman, Robert W. Goodlatte of Virginia.

Mr. Ryan and Kevin McCarthy, the House majority leader, failed to head off the revolt after frenetic negotiations with members of the hard-line House Freedom Caucus. Mr. Ryan told colleagues he refused to be held hostage by the upstarts, then gambled that he would be able to find enough votes to pass the legislation, despite unified Democratic opposition.

But the support never materialized, dealing a blow to Mr. Ryan, who recently announced his intention to retire next year.

In the end, the farm bill, a measure with huge implications for low-income families and the agricultural industry, became little more than a bargaining chip in the heated intraparty battle over immigration, President Trump's core cultural and political issue.

"I thought we had enough people that would vote yes," said Representative Patrick T. McHenry, Republican of North Carolina and the chief deputy whip, who shortly before the

vote assured reporters that Republicans had enough support for passage.

Representative Jim Jordan, Republican of Ohio and a founder of the Freedom Caucus, said lawmakers needed to get a resolution on immigration "that's consistent with the mandate of the election" that put Mr. Trump in the White House.

"That's all this was about," said Mr. Jordan, a possible candidate to succeed Mr. Ryan, after voting against the measure. "That's what we're focused on."

Representative Tom Cole, Republican of Oklahoma, said colleagues who defected over immigration, not over the substance of the farm bill, had made a mistake.

"You don't hold one thing hostage for something that's totally different and has nothing to do with it," Mr. Cole said, adding, "At some point, you either trust your leaders or you don't."

The collapse of the farm bill represents a significant loss for Mr. Trump, who had pressured Republican leaders to include new work rules in the bill and had called the measure "strong" in a tweet on Thursday.

And it was a humbling setback to Mr. Ryan, raising questions about his ability to run an already fractious Republican conference as a lame-duck. It also raised questions about the capacity of his possible successors, including Mr. McCarthy and the majority whip, Steve Scalise of Louisiana, to legislate effectively.

Shortly after the bill failed, Mr. McHenry told reporters that another challenge to leadership, coming from the party's moderates, seemed on the brink of success. A group of Republicans, some facing tough re-election climbs in November, have signed a procedural petition that would force a series of votes on immigration bills. The moderate lawmakers are seeking action by the House to address the future of the Deferred Action for Childhood Arrivals program, an Obama-era initiative that protects young immigrants brought to the country illegally as children. Mr. Trump moved last year to end the program.

It was unclear when House Republican leaders might try again to pass the farm bill. The current measure expires at the end of September.

"Good riddance to the House G.O.P. Farm Bill, which was both cruel and counterproductive," said Joel Berg, chief executive of Hunger Free America, a nationwide advocacy group that opposed the work requirements provision. "The bill, if passed, would have somehow managed to take food away from millions of struggling Americans while increasing government bureaucracy and intrusion into people's private lives."

For all the drama, the House's farm bill was already destined to be set aside by the Senate, which has been working on its own bipartisan farm policy measure. The farm legislation will need 60 votes in the Senate, meaning that

Republicans, even if they are unified, will not be able to pass a partisan bill in that chamber.

The farm bill, despite its pastoral name, is one of the most politically sensitive policy bills that Congress is required to pass. Passage is invariably engineered by a coalition of urban Democratic legislators seeking to maintain nutrition benefits under attack from conservative budget cutters, and rural Republicans determined to shield subsidies for sugar, corn, cotton and other commodities.

This year's bill has become something of an M.R.I. into the soul of the Republican Party ahead of the midterms, revealing divisions, dysfunction and jockeying agendas within Congress and the West Wing.

The bill was drafted by the House Agriculture Committee chairman, Mike Conaway of Texas, with little Democratic input.

Mr. Conaway and other mainstream Republicans from rural areas wanted to preserve backbone agricultural supports while fighting back challenges from the right to reduce subsidies to the sugar industry. But he also sought to accommodate the White House and outside conservative groups, which demanded new election-year initiatives to reduce the rolls of the Supplemental Nutrition Assistance Program, or SNAP, which Mr. Trump regards, along with Medicaid and housing aid, as "welfare."

The bill also expands funding for state-level job training programs. But as a condition of enrollment, recipients would be required to submit themselves to greater record-keeping requirements.

Those provisions are intended to discourage participation in SNAP, formerly known as food stamps, and would likely lead "thousands of people who need food assistance to simply fall off the rolls," said Stacy Dean, vice president for food assistance policy at the Center on Budget and Policy Priorities, a Washington-based liberal research organization.

House Rejects Farm Bill As Some Conservatives Withhold Support

Bloc demanded a separate vote on a measure to toughen immigration enforcement

By Siobhan Hughes And Jesse Newman

Wall Street Journal, May 18, 2018

Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

In Blow To GOP, House Fails To Pass Massive Farm Bill In Face Of Conservative Republican Showdown

By Erica Werner And Mike Debonis

Washington Post, May 18, 2018

A sweeping farm bill failed in the House on Friday in a blow to GOP leaders who were unable to placate conservative lawmakers demanding commitments on immigration.

The House leadership put the bill on the floor gambling it would pass despite unanimous Democratic opposition. They negotiated with members of the conservative House Freedom Caucus up to the last minutes.

But their gamble failed. The vote was 213 to 198, with 30 Republicans joined 183 Democrats in defeating bill.

The outcome exposed what is becoming an all-out war within the House GOP over immigration, a divisive fight the Republicans did not want to have heading into midterm elections in November that will decide control of Congress.

The bill's collapse also highlight the splits within the GOP conference that have bedeviled House Speaker Paul D. Ryan (R-Wis.) and will be certain to dog the top lieutenants in line to replace him, Majority Leader Kevin McCarthy (R-Calif.) and Majority Whip Steve Scalise (R-La.).

With moderate Republicans maneuvering to force a vote on legislation offering citizenship to some younger immigrants who arrived in the country as children, conservatives revolted. The farm bill became a bargaining chip as they lobbied leadership for a vote on a hard-line immigration bill.

Leaders tried to come up with a compromise, but 11th-hour negotiations, offers and counteroffers failed. McCarthy and Scalise will face a share of the blame for the failure, and their fortunes in the race to replace Ryan next year could suffer accordingly.

The farm bill itself became practically a sideshow, despite its importance to agriculture and the significant changes it would institute to food stamp programs.

[Six things to watch for in the House farm bill, from food-stamp work requirements to school lunch]

On immigration, Scalise described a deal that would ensure a vote on a conservative immigration bill from Reps. Bob Goodlatte (R-Va.) and Michael McCaul (R-Tex.), while also allowing moderate Republicans the opportunity to negotiate on legislation that could win the support of President Trump and resolve the status of immigrants who face losing protections offered by the Deferred Action for Childhood Arrivals program, or DACA.

"We came to an agreement that I think gives everybody what they want," Scalise said ahead of the farm-bill vote. "That's a vote on Goodlatte-McCaul as well as an opportunity to try to work with the president on an alternative that can pass on DACA. We want to solve the DACA problem and secure the border, and I still think there's a path to get there working with the president."

The solution may eventually emerge, but it did not do so in time to save the farm bill Friday.

Goodlatte-McCaul bill authorizes construction of a border wall, cracks down on "sanctuary cities" that protect immigrants against federal immigration authorities and provides for three-year temporary guest work permits that do not offer a chance at citizenship. Leaders and conservatives agree that it does not have the votes to pass the House, but nonetheless conservatives want to vote on it.

The farm bill itself broke open partisan House divisions as Democrats abandoned negotiations with Republicans over the food stamp changes, which would require adults to spend 20 hours per week working or participating in a state-run training program as a condition to receive benefits. Democrats argue that a million or more people would end up losing benefits, because most states do not have the capacity to set up the training programs required.

House Minority Leader Nancy Pelosi (D-Calif.) described the legislation as "cruel" and argued that with the proposed changes to food stamps, "Republicans are taking food out of the mouths of families struggling to make ends meet."

Republicans contend the food stamp changes are a reasonable approach that would help move able-bodied adults from poverty to work. "Our bill goes shoulder to shoulder with recipients to help get them the training and education they need to attain a job that can provide for them and their families," said Agriculture Committee Chairman K. Michael Conaway (R-Tex.).

[They're the think tank pushing for welfare work requirements. Republicans say they're experts. Economists call it 'junk science.']

The House farm bill would have been a non-starter anyway in the Senate, which is writing its own farm bill. Any legislation that ultimately makes it to Trump's desk will have to look more like the version in the Senate, where bipartisan support will be necessary for anything to pass and there is not sufficient support for the food-stamp changes.

Trump had tweeted his support for the House bill late Thursday, writing: "Tomorrow, the House will vote on a strong Farm Bill, which includes work requirements. We must support our Nation's great farmers!"

The current farm bill expires Sept. 30, and the legislation would have reauthorized numerous programs and policies. In addition to food stamps, flash points included an extension of supports for the sugar program, which a coalition of conservative lawmakers, backed by outside free-market groups, tried unsuccessfully to get rid of in an amendment defeated Thursday.

The legislation also would have extended the Agriculture Department's subsidy program that compensates farmers when average crop prices fall below certain levels — and expanded it by widening who counts as a "farmer," for subsidy purposes.

Conaway pleaded for the legislation before the vote. "Times are not good right now in the heartland. Many of our nation's farmers and ranchers, who have been struggling under the weight of a five-year recession, are just one bad year away from being forced out of business," he said. "And in the face of these serious challenges, the last thing they need is the uncertainty of a prolonged debate over the 2018 farm bill."

Caitlin Dewey contributed to this report.

The Failed Farm Bill Capped An Awful Week For Paul Ryan

By Amber Phillips

Washington Post, May 18, 2018

Moderate Republicans are directly confronting his leadership over immigration. And on Friday, conservative Republicans called his bluff by helping sink a must-pass farm bill.

It's been a pretty bad week for House Speaker Paul D. Ryan (R-Wis.), who is trying — and right now failing — to hold his fractured caucus together for just a few more months.

Ryan is retiring at the end of the year, and whatever tenuous grip he had on unruly House Republicans over the past three years appears to be slipping as his lame-duck status settles in. After he announced his retirement in April, he had to withstand grumbles from his own party that he was staying on until after the November midterm elections.

[With Paul Ryan retiring, House Republicans are at another leadership fork in the road]

Shortly after that, moderate House Republicans started a petition, over Ryan's objections, to force the House to vote on a series of immigration bills. GOP lawmakers — 20 of them — have signed onto the petition even as Ryan and his leadership team warn that the path they're going down could jeopardize the House Republican majority.

House moderates normally are not the problem group for Ryan, points out Molly Reynolds, a congressional expert with the Brookings Institution.

He's been able to count on this group to be the reliable faction, the ones who will take tough votes and won't complain publicly about doing it. But that has changed as a growing number of lawmakers get desperate about their own election chances. They want to be seen taking action to protect "dreamers" before they face voters in districts that Democrats will target this November. At least four signatories are retiring, suggesting that when they have the freedom to speak their mind, they'd rather buck Ryan on this.

Then, on Friday, a more familiar standoff vexed Ryan. House conservatives threatened to vote against a must-pass farm bill (which does a lot in addition to providing subsidies to

farmers) if Republican leaders didn't bow to their demands on immigration.

Ryan didn't and decided to bring the bill up for a vote anyway. It was a gutsy move on his part. Kinda like lawyers don't ask questions they don't already know the answer to, House leaders rarely bring a bill to the House floor without knowing what will happen, the better to avoid failures (and headlines) like this.

But a block of 30 conservatives refused to back down and joined all House Democrats to vote against the bill, killing it.

198-213: House defeats farm bill with 30 Republicans voting NO. [pic.twitter.com/SsgKnXCMed](https://twitter.com/SsgKnXCMed)— Craig Caplan (@CraigCaplan) May 18, 2018

That means that in one week, Ryan is 0-2 in battles with his caucus.

There's always the possibility he salvages both problems. Ryan already restarted the vote process for the farm bill, hoping last-minute negotiations with conservatives provide a solution in time.

That strategy prevailed last summer as the House narrowly passed a repeal of Obamacare after first voting against it. That vote is now top of the list of things Ryan brags about as his accomplishments as speaker. (The Senate voted down the bill by one vote.)

Ryan and his leadership team have also reopened negotiations with moderate House Republicans to vote on immigration bills, against their better judgment.

Of course, Ryan is leaving in a few months, so his lame-duck struggles won't last forever.

But nothing we've seen this week suggests any of this potential successors, like his preferred choice, House Majority Whip Kevin McCarthy (R-Calif.), can quell the increasingly dramatic uprisings happening in Ryan's final months on the job.

Ryan's Power Ebbs While House GOP Grows Restive Ahead Of Midterms

Bloomberg News, May 18, 2018

House Speaker Paul Ryan's power is eroding just weeks after announcing he won't seek re-election, threatening his ability keep the chamber's restive Republicans united heading into an election that could cost them their majority.

Open conflict has erupted among GOP factions over immigration, contributing to an embarrassing defeat on the House floor Friday when farm legislation failed to pass. The Intelligence Committee chairman went on national television — without consulting Ryan — to say wanted to hold Republican Attorney General Jeff Sessions in contempt of Congress. And Ryan was forced to reverse his decision to oust the House chaplain.

The fractures are beginning to show six months before an election that has Republicans trying to defend their congressional majorities amid signals – from fundraising numbers and voter turnout in special elections – that enthusiasm among Democrats could flip control of the House.

Ryan of Wisconsin is focusing on raising money and campaigning on last year's tax cuts to hold the GOP House majority, but among both conservative and more centrist Republicans there is grumbling that they must accomplish more before the November election.

"It's one thing to run on tax reform, but I think members want to run on other things," according to Ryan Costello, a Pennsylvania Republican who isn't running for re-election. The problem, Costello said, is that lawmakers from swing districts want a bipartisan compromise on immigration, while "folks in ruby red districts" have very different priorities. *Divergent Priorities*

Sarah Binder, a congressional expert at the Brookings Institution in Washington, said these divergent GOP priorities are coming to a head as the conservative Freedom Caucus tried to hold a massive farm bill hostage to their immigration demands. Republican moderates facing potential election challenges are pursuing a different immigration agenda, pushing for a vote that could only pass with support from Democrats.

"A key problem is that these factions see different routes to keeping control of the House. Conservatives want to play to the base, moderates need to appeal to the center," Binder said. "That's a recipe for stalemate – and one that a lame duck speaker seems ill-equipped to address."

Binder said that when Ryan's predecessor as speaker, John Boehner, announced he wouldn't run again, he did it in a non-election year. That let him, in his own words, "clean the barn" for Ryan by dispensing with difficult issues. "Ryan seems desperate to keep the barn doors shut," she said.

Ryan has responded to rebellions in his conference in the same way he has dealt with the episodic controversies sparked by President Donald Trump: private conversations about how to find a less disruptive way to accomplish the goal. *Consultations Promised*

That approach appears to have worked with Devin Nunes of California, the Intelligence Committee chairman, who now says he's having "continuing discussions" with the Justice Department to get the information he subpoenaed, rather than holding administration officials in contempt of Congress.

A Nunes spokesman, Jack Langer, said Thursday that after Nunes raised the prospect of contempt action against Sessions on television last week, he has since promised to "consult with the speaker before introducing a contempt resolution, and that remains the case."

Yet Ryan's quiet, consultative approach didn't work when he dispatched an aide to ask for the House chaplain's resignation.

"Look at the chaplain incident. That was a huge loss of prestige. He had to backpedal in firing him," said Representative Gerald Connolly, a Virginia Democrat. "There are visible signs of serious erosion of influence and power."

A bipartisan furor erupted after Ryan asked the chaplain, Patrick Conroy, to step down. That prompted Conroy, a Jesuit priest, to rescind his resignation letter and challenge the speaker's authority to fire him in the first place.

Ryan also wasn't able to reach a deal over the farm legislation in time to prevent its defeat – even though the measure includes new work requirements for food stamp recipients, an idea embraced by conservatives. In the minutes before the farm bill Ryan backed failed in a 198 to 231 vote, Ryan could be seen on the House floor talking to lieutenants, at one point burying his head in his hands.

AshLee Strong, a spokeswoman for Ryan, said the House has been busy acting on legislation, including bills to roll back regulations adopted under former President Barack Obama. The chamber this week will take up revisions to the Dodd-Frank financial overhaul and other measures, she said.

"The notion that the House is slowing pace is silly," Strong said.

A GOP congressional aide who spoke on condition of anonymity said the battle over immigration would have unfolded regardless of whether Ryan announced his retirement and that Nunes acted without consulting Ryan even before he said he will be stepping down. *Immigration Revolt*

The revolt on immigration has been on a low boil for months.

A group of centrists shrugged off the speaker's requests to drop a petition drive to force a floor vote on immigration legislation, including bills that would appeal to Democrats. That prompted threats from staunchly conservative Republicans to retaliate by trying to sink the farm bill unless Ryan allows a vote on their favored hard-line immigration bill instead.

Carlos Curbelo, a Republican who represents a diverse district in South Florida, said in December he would vote against the leadership's spending bills if they didn't first move a bill that would provide protection from deportation for immigrants brought to the U.S. illegally as children, along with measures to enhance border security.

Now Curbelo, tired of waiting, is ignoring Ryan's opposition to his petition to force a floor vote on four different immigration proposals.

"The discharge petition on immigration is a sign of a weakened party leadership" that can't enforce discipline, said Ross Baker, a political scientist at Rutgers University in New Jersey.

Members of the Freedom Caucus say they also were promised, in exchange for their support for a spending bill, a full House vote on a immigration legislation favored by conservatives that was proposed by Judiciary Committee chairman Bob Goodlatte of Virginia.

Iowa Republican Steve King, one of the most outspoken immigration opponents in Congress, said Ryan's handling of Curbelo's discharge petition could have consequences for his successor. Ryan has backed Majority Leader Kevin McCarthy of California as speaker if Republicans hang on to the majority after the midterm elections.

Leadership Threat
"If the Democrats take over the floor with a handful of Republicans that team up with them, that would be, I think, untenable for anyone to sustain a leadership position," King said. "Especially if they have to be elected to it in the future."

Scott Perry, a Republican from Pennsylvania, said delaying action on immigration is another example of Ryan not following through on the promises he made when he first became speaker to let bills to go through committees with an open amendment process on the floor. Perry said he and his fellow conservatives will use their votes to make sure the next Republican leader can't make empty promises.

"We get tired of hearing, 'well, we'll do that in six months – or never,' and then it always becomes a little too difficult to do it," Perry said.

Republicans in both factions say Ryan's tight control of the legislative schedule is beginning to backfire now that his lame duck status leaves him with fewer tools typically used by speakers to keep members in line. McCarthy and Representative Steve Scalise of Louisiana, the third ranking member of the GOP leadership team, are reluctant to retaliate against rebellious members to maintain goodwill for a future speaker's race.

"Naturally, any lame duck is not going to have as much power," said Representative Dennis Ross, a Florida Republican, who is retiring at the end of the year.

"But you also can do things you wouldn't normally do. He might reach across the aisle and get 50 Democrats to vote on a bill – upsetting all of our conservative Republicans because they passed a farm bill, for instance, without them," Ross said. "But what's more important? The speakership or the legislation?"

House Rejects Republican Farm Bill After Immigration-Vote Deal Collapses

Bloomberg News, May 18, 2018

A five-year \$867 billion farm bill backed by the Trump administration was rejected in the U.S. House after GOP leaders were unable to quell a rebellion by a group of conservatives who are demanding new restrictions on legal immigration.

The failure to pass the farm legislation, which would have imposed new work requirements for food stamps, is an embarrassing blow to House Speaker Paul Ryan, who is being pressured by multiple Republican factions as the party is trying to defend its majority in the November congressional elections. It's also another indicator of how Ryan's influence over GOP House members is waning after announcing he won't seek re-election.

GOP leaders said they would bring up the bill again, possibly as early as next week. Current farm programs – including subsidies for farmers and government-backed crop insurers – begin to expire Sept. 30 without new legislation.

Lawmakers voted 198 to 213 to defeat the measure Friday after members of the Freedom Caucus, comprising about three dozen conservative Republicans, rebuffed an offer from GOP leadership to schedule a June vote on a bill that would eliminate a diversity visa lottery and impose other limits in exchange for temporary protection for young undocumented immigrants.

Ryan's Power Ebbs as House GOP Grows Restive Before Midterms

Democrats also opposed the legislation, H.R. 2, because of the work requirements it would impose of recipients of food stamps. Thirty Republicans defected on the bill, including moderates who had said they were opposed to the food stamp changes.

President Donald Trump "is disappointed in the result of today's vote," Lindsay Walters, deputy White House press secretary, said in a statement. Trump supported adding work requirements to the food stamp program. The administration "will continue to work with Congress to pass a farm bill on time."

The immigration issues has been simmering in the House for months. Several Freedom Caucus members said they didn't trust the party leadership to hold a vote later on the immigration legislation and instead want it to take place before a the farm legislation.

"We've been promised a vote again and again," said Scott Perry, a Pennsylvania Republican and member of the Freedom Caucus.

Mark Meadows of North Carolina, the chairman of the Freedom Caucus, said the farm measure's defeat isn't fatal. "Hopefully we'll fix the farm bill and the immigration bill at the same time," he said.

Steve Scalise of Louisiana, the No. 3 House Republican, said leaders would seek to address lawmakers' immigration concerns and keep working on getting the farm legislation passed.

The legislation is popular among rural Republicans but criticized by others in the party for what's seen as wasteful farm-program and food-stamp spending.

"This is not good for the United States ag economy, it certainly will leave a lot of ag producers scratching their

heads about our Republican majority and moving these important pieces of legislation through the House," said Jodey Arrington, a Texas Republican, whose constituents include farmers.

Rejection of the measure exposed a rift between moderates and conservatives.

"For how long will @HouseGOP leaders continue to accept and facilitate the tyranny of the minority of the majority?" Republican Carlos Curbelo of Florida wrote on Twitter. Forcing Ryan

Curbelo, whose South Florida district includes many immigrants from Latin America, is leading an attempt to force Ryan to schedule votes on four different immigration proposals using a procedure called a discharge petition.

If at least 25 Republicans and all 193 Democrats get behind it, that would force Ryan to act on scheduling a vote. Despite Ryan's opposition, 20 Republicans have signed the petition so far, bringing the total number of lawmakers backing the effort to 196.

The bills that would get votes include legislation favored by conservatives and one backed by Democrats. The Freedom Caucus said one of their goals in blocking the farm bill was trying to blunt the petition effort. They argue if it's successful, the result might be passage of immigration legislation granting permanent legal status to some young undocumented immigrants, which would anger the core of the Republican voting base.

Patrick McHenry of North Carolina, a member of the GOP leadership team, said that within hours there likely will be enough signatures on the petition to force the votes.

That's "exactly what I feared if the farm bill went down," he said. "We had enough members who were willing to vote yes who had a commitment to vote on immigration, but wanted to hijack the process to get an immigration vote before they actually fulfill their pledge that they made to their constituents on the farm bill."

The farm legislation, sponsored by House Agriculture Committee Chairman Michael Conaway, a Texas Republican, survived an attempt add a provision to revamp a controversial sugar program. Some lawmakers, with support from candy-makers, unsuccessfully sought to eliminate production limits that keep sugar prices higher for growers.

Conaway said in a statement that Friday's vote is a "setback" but that "we will deliver a strong, new farm bill on time as the President of the United States has called on us to do."

The legislation would shift some money from benefits to workforce training, while increasing the number of people required to comply with work requirements. Republicans say the requirements are needed to move food stamp recipients into the labor force at a time of worker shortages. Democrats oppose those provisions because they say they'll reduce

benefits and increase paperwork without effectively moving people into the workforce.

House Democratic leader Nancy Pelosi of California said Republicans should now drop cuts to food stamp benefits and work with Democrats on a new bill.

— With assistance by James Rowley, Jonathan Nicholson, and Anna Edgerton

Farm Bill Fails In U.S. House As Immigration Spat Roils Republican Party

[Reuters](#), May 18, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Trump Hopes U.S. House Can Resolve Differences On Farm Bill: White House

[Reuters](#), May 18, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

A Republican War Breaks Out Over Immigration, Taking Down The Farm Bill In The Process

By Erica Werner And Mike Debonis

[Washington Post](#), May 18, 2018

Simmering House GOP divisions over immigration burst into the open Friday as conservatives took out their frustrations with Republican leaders by voting down an unrelated, major farm-policy bill.

The dramatic failure demonstrated the turmoil inside the Republican Party as President Trump and his allies push the GOP toward a more hard-line stance on immigration. It also represented a major blow for House Speaker Paul D. Ryan (Wis.) and other Republican leaders, who were caught between two warring factions.

The farm bill had nothing to do with immigration, but House conservatives used it to try to regain leverage that they had been losing behind the scenes as party centrists worked to force a vote on a bill that would legalize young undocumented immigrants who arrived in the country as children.

In return for a solution for these immigrants, known as "dreamers," conservatives are pushing to fund Trump's signature campaign promise of a wall on the U.S. border with Mexico and outlaw "sanctuary cities." Anything less, they say, would represent a betrayal of the GOP base ahead of this year's midterm elections. The moderate Republicans, most representing districts with competitive races in the fall, have embraced compromise with Democrats and have been employing a rarely used legislative maneuver to force a vote.

Just four years ago, Ryan and other party leaders were advocating a softer line on immigration as part of a push to woo Hispanic voters — but Trump's victory has changed that calculation. Now conservatives are dead set against compromising with Democrats to get the 218 votes needed to pass an immigration bill.

"That path to 218 disavows what the last election was about and what the majority of the American people want," said Rep. Scott Perry (R-Pa.), a member of the hard-right House Freedom Caucus, "and the people in this body know it."

Since the launch of his 2016 campaign, Trump has returned again and again to the idea of cracking down on illegal immigration and to his promise of a border wall. Ryan has said he does not want to put an immigration bill on the floor that does not have the president's support, but it has been unclear what that would require.

Privately, White House officials are pessimistic about the prospect for an immigration deal to emerge. Trump also remains frustrated that his border wall has not gotten funded at the levels he desires. In an effort to make progress on that front, the White House plans to increase its funding request for the wall in the 2019 budget year from \$1.6 billion to \$2.5 billion, according to two officials knowledgeable of the situation.

The outcome of the congressional debate on immigration will also reverberate in the race to replace Ryan, who is retiring from Congress at the end of this year. Ryan's top two lieutenants — Majority Leader Kevin McCarthy (R-Calif.) and Majority Whip Steve Scalise (R-La.) — both must maintain support from conservatives in the caucus if they hope to rise in leadership.

Centrist Republicans have been attempting to force a vote on legislation that would ultimately grant citizenship to immigrants who were brought to the United States illegally as children and protected by the Deferred Action for Childhood Arrivals program, or DACA.

But House GOP hard-liners fear that process could allow such a bill to pass the chamber, with votes from Democrats and a minority of Republicans. They want a stand-alone vote on a conservative immigration bill that is expected to fail but would kill that effort.

Rep. Mark Meadows (R-N.C.), chairman of the Freedom Caucus, said the group decided to withhold votes for the high-profile farm bill after determining it was "not fully clear" how immigration legislation would be considered on the House floor next month.

"Hopefully we'll fix the farm bill and the immigration bill at the same time," Meadows said. "I think at this point we really just need to deal with immigration in an effective way, and hopefully we'll be able to do that."

The centrist Republicans expressed guarded optimism over leadership's agreement to hold votes on immigration

next month, although numerous details remain to be determined.

"We've agreed on a framework. We've not agreed on the contents of a bill," said Rep. Jeff Denham (R-Calif.), a leader of the moderate effort. "We are making great progress. The fact that we are discussing a timeline is very positive."

Bipartisan legislation probably has enough votes to pass the chamber — but only with significant Democratic support. And any immigration debate in the House is certain to divide the GOP against itself, leaving one side or the other bitter and dissatisfied no matter the outcome.

The process under consideration would ensure a vote on a conservative immigration bill from Reps. Bob Goodlatte (R-Va.) and Michael McCaul (R-Tex.), while also allowing moderate Republicans the opportunity to negotiate on legislation that could win the support of Trump and resolve the status of DACA recipients.

"We want to solve the DACA problem and secure the border, and I still think there's a path to get there working with the president," Scalise said ahead of the failed farm-bill vote.

The Goodlatte-McCaul bill authorizes construction of a border wall, cracks down on "sanctuary cities" that protect immigrants from federal immigration authorities and provides for three-year temporary guest work permits that do not offer a chance at citizenship. Leaders and conservatives agree that it does not have the votes to pass the House.

Trump's role could be crucial. If he chooses to get involved and help direct legislative efforts in the House, the president could shape a positive outcome. But if he leaves lawmakers in the dark about his preferences while holding rallies where supporters shout "Build that wall!" the strain on House leaders could be all the greater.

Moderate Republicans' procedural effort to force a vote on their immigration measures needs the support of five more Republicans. If the additional lawmakers sign on by the end of next week, that would force votes by the full House starting June 25.

House GOP leadership, however, wants to avoid that event and will be working to craft a solution that will make as many Republicans happy as possible. They have an eye on November elections and want to avoid forcing members to take tough votes that would be held against them by constituents. The leadership will be intensely negotiating in coming days as it attempts to arrive at an immigration solution that can satisfy a large number of Republicans and pass the House, an enormously complicated endeavor.

The farm bill's failure infuriated numerous rank-and-file Republicans fed up with dysfunction in their ranks and eager to produce a win for farmers and others in their districts.

"It is absolutely shameful that anyone would vote to derail this bill simply to score cheap political points," said Rep. Mike Bost (R-Ill.), who is facing a strong Democratic challenge in his downstate district this year.

The farm bill that the House was voting on Friday was probably doomed in the Senate anyway, because of lack of support in that chamber for tough new work requirements for food-stamp recipients. The Senate is writing its own, bipartisan farm bill that the House may ultimately have to agree to in the end if anything is to reach Trump's desk. The current farm legislation expires Sept. 30, but most programs can be extended in the absence of a new measure.

Trump had broadcast his support for the farm bill over Twitter on Thursday evening, writing: "Tomorrow, the House will vote on a strong Farm Bill, which includes work requirements. We must support our Nation's great farmers!"

On Friday, deputy White House press secretary Lindsay Walters said Trump was "disappointed" by the result "and hopes the House can resolve any remaining issues in order to achieve strong work requirements and support our nation's agricultural community."

Seung Min Kim, Paul Kane, Josh Dawsey and Caitlin Dewey contributed to this report.

U.S. Imported More Than 10M Immigrants In Last Decade, Exceeding The Population Of NYC

By John Binder

[Breitbart](#), May 20, 2018

The United States has imported more than 10 million legal immigrants in the last ten years, federal data circulated by the White House reveals.

Since 2008, the U.S. has admitted and permanently resettled close to 10.8 million legal immigrants, a foreign population that exceeds the entire population of New York City, New York — where more than 8 million residents live.

Of those roughly 10.8 million legal immigrants resettled across the U.S., the majority derives from the process known as "chain migration," where newly naturalized citizens are allowed to bring an unlimited number of foreign relatives to the country.

Nearly 7.8 million legal immigrants have been imported to the U.S. through chain migration since 2008.

Another 478,000 legal immigrants have entered the U.S. through the Diversity Visa Lottery program in that same time period. The Visa Lottery randomly gives out 50,000 visas every year to foreign nationals from a multitude of countries, including those with known terrorism problems — such as Afghanistan, Algeria, Egypt, Iraq, Lebanon, Libya, Nigeria, Saudi Arabia, Somalia, Trinidad and Tobago, Venezuela, Yemen, and Uzbekistan. Visa Lottery winners have undergone only minor screening from immigration officials, even when their ideology is hostile to Americans laws and culture.

White House officials said the current U.S. legal immigration system "fails to consider the needs of American

workers and taxpayers" by inundating the nation with mass immigration every year.

Officials said:

Census data shows that current U.S. immigration policy admits large numbers of individuals who struggle to become financially independent and instead rely on a vast array of government benefits paid for by U.S. taxpayers. For instance, roughly half of all immigrant-headed households use one or more welfare program. [Emphasis added]

Under our current refugee and asylee programs, the federal government brings in hundreds of thousands of mostly lesser-skilled migrants into the United States, on top of other legal immigration flows, who can quickly become eligible for cash and non-cash federal welfare, federal entitlements, free medical care, education and a host of state and local benefits. [Emphasis added]

As Breitbart News has chronicled, chain migration is expected to add more than 8 million foreign-born voters in the next 20 years, forever changing the electoral landscape of the nation.

Likewise, the Visa Lottery has imported more than 30,000 foreign nationals from terrorist-funding countries since 2007, Breitbart News reported. Last year, it was revealed that 29-year-old Sayfullo Saipov — the man who allegedly mowed down pedestrians in the Tribeca neighborhood of New York City — entered the U.S. in 2010 from Uzbekistan through the Visa Lottery before obtaining a Green Card to permanently stay in the country.

Meanwhile, a majority of American likely voters have continuously told pollsters that they want to see legal immigration reduced to the U.S., including an end to chain migration and the Visa Lottery program.

In the latest poll by the Polling Company, a majority, 52 percent, of swing-voters said they wanted to see chain migration eliminated.

Despite sweeping nationwide support for wage-boosting legal immigration cuts, the Republican establishment has fixated their midterm re-election campaigns on a tax cuts, amnesty, and prison reform agenda driven by the billionaire GOP megadonors, the Koch brothers.

Arizona 'Dreamers' Struggle After Losing Cheaper Tuition

By Anita Snow

[Associated Press](#), May 19, 2018

PHOENIX (AP) — David Montenegro worked part-time restaurant jobs and took advantage of Arizona's lower in-state tuition as he labored through years of college. Now a senior with the goal of becoming a teacher nearly in sight, the 29-year-old Mexico-born immigrant who arrived in the U.S. at age 11 faces a new hurdle.

Montenegro and more than 2,300 public college students around Arizona with deferred deportation status will have to pay thousands more for school in the fall under a state Supreme Court decision that deemed them ineligible for in-state tuition. Suddenly, they are scrambling to piece together private funding to continue their studies.

Students in the U.S. illegally cannot get federal funding, but there are private scholarships such as TheDream.US and Golden Doors Scholars for students covered by the 2012 Deferred Action for Childhood Arrivals program, known as DACA. Youths in the program are sometimes referred to as "Dreamers" for the DREAM Act, never-passed legislation that opponents say would reward people for breaking the law and encourage illegal immigration.

Montenegro said Arizona State University counselors helped him find modest funding from donors to finish his last year, and "I should be able to do it."

But he and others said they fear a growing anti-immigrant bias in the U.S. under President Donald Trump, who has made tough immigration policies a key focus.

"It's upsetting to know there are people out there trying to make our lives impossible," Montenegro said.

Vasthy Lamadrid, another DACA recipient in ASU's teaching program, acknowledged experiencing "a lot of anxiety and stress" after the decision. "Some students are freaking out, wondering if they need to move out of state or find other funding," the 22-year-old added.

The Arizona Attorney General's Office sued the Maricopa Community College District in 2013, saying that extending in-state tuition to DACA recipients violated a 2006 voter initiative that requires people to have lawful immigration status to get public benefits.

The state Supreme Court ruled in April that state and federal law do not allow DACA recipients to get Arizona's in-state tuition because they are not lawfully present in the U.S.

Although federal law does not prevent unauthorized immigrants from attending public universities, state laws vary on whether those who graduated from state high schools get in-state tuition rates. The National Conference of State Legislatures says 20 states offer in-state tuition to unauthorized immigrants — 16 of them through legislative action in places including California, Kansas and New York. In Hawaii, Michigan, Oklahoma and Rhode Island, the lower rate is granted through the state university systems.

In New Mexico, Western New Mexico University has used social media to woo high-achieving immigrants, extending in-state tuition to DACA recipients from Arizona, Colorado and El Paso, Texas.

But Georgia considers students covered by DACA ineligible for in-state tuition, a policy explored in "The Unafraid," a new documentary taking its name from an activist chant, "Undocumented! Unafraid!" Screening next month at the Human Rights Watch Film Festival in New York,

the movie follows three DACA recipients in Georgia hoping to go to college.

Their challenges are similar to those now faced by Arizona DACA recipients, who mostly come from lower-income families and often don't graduate until they are in their mid-20s or older because they can pay for a only class or two at a time.

The annual tuition for an estimated 300 DACA recipients at Arizona's three public universities will rise from about \$10,000 to \$15,000 under a policy of charging non-citizen residents 150 percent of in-state tuition. Some 2,000 students with DACA status at the Maricopa County Community College District, the largest in Arizona and among the biggest in the U.S., will see annual costs for a full-time course load jump from about \$2,580 to \$8,900.

Some students are finding a friendlier and more affordable education at private schools such as Arizona's Prescott College, which has actively recruited DACA recipients including 19-year-old freshman Itzel Rios Soto, who was 6 when she was brought here from Mexico.

"When I got a scholarship, I broke down crying because it was the answer to my family's prayers," said Rios, whose tuition at the small liberal arts school is covered by its Freedom Education Fund, which students pay for with a \$30 fee each semester. She's the first in her family to attend college.

After the court decision, Prescott College announced it would match Arizona state universities' resident tuition rates for immigrants in the country illegally.

"They were brought here involuntarily, and this is the only country they know," college President John Flicker said then. "Our state and our nation will be better if we educate them, not force them into the shadows."

The DACA students graduating from the Jesuit-run Brophy Preparatory Academy in Phoenix this month decided against college in Arizona because of insufficient funding for immigrant students, said Kathy Mabry, the school's communications director. Instead, they're going to out-of-state Catholic universities or other private schools such as the University of Southern California and Emerson College in Boston.

"With a college preparatory education that has given them solid academic footing, and a team of dedicated college counselors guiding them, I believe Brophy's Dreamers have been well-prepared to find other resources," Mabry said.

Graduating 17-year-old Nelson Martinez said his activism supporting fellow DACA students helped him get a full scholarship to College of the Holy Cross in Massachusetts.

Because of his family's modest income, "paying full tuition at a state school was never a possibility," he said.

Follow Anita Snow on Twitter at:
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Financial Raid: Some States Cut Off Assistance For DACA Students, While Others Rush To Help

NBC News, May 20, 2018

Seonki Jo, who was brought to America from South Korea at age 3, has lived in Duluth, Georgia, nearly all his life. When it came time for him to begin his college search, he wanted to stick close to home.

But, he found, he couldn't. Georgia not only banned undocumented immigrants like Jo, who in 2015 was granted status under the Deferred Action for Childhood Arrivals program, from receiving discounted in-state tuition rates, but also from attending its top five public universities.

"Realizing you're not even able to go to your state school is a little bit jarring. It made me really anxious that I had to think outside of Georgia," he said.

With the fate of the Obama-era program — canceled by President Donald Trump in 2017 — still tied up in the courts and Congress seemingly no closer to a fix, renewed debate has cropped up in the states about what to do about the thousands of recipients who want to attend college.

Several blue-leaning states, such as New Jersey, Oregon and Connecticut, recently passed bills making those students eligible for some form of financial aid, in addition to allowing undocumented students to receive in-state tuition rates. Other states, like Arizona and Georgia, have taken legal action to ensure undocumented students pay more.

"The issue of the status of Dreamers, I think, is still playing out politically across the country," Steven Bloom, the director of government relations at the American Council on Education, told NBC News. "There seems to be a broad consensus that there needs to be a permanent solution for how they stay here, but the details need to be worked out."

Overall, 20 states, both blue and red, have made undocumented students eligible for some form of aid or benefit, like in-state tuition. Sixteen of those states did it through legislation, while four state public education systems have put their own policies in place, according to the bipartisan National Conference of State Legislatures.

The District of Columbia also offers in-state tuition and financial aid to undocumented students. The rest of the states either bar undocumented students from receiving financial aid and in-state discounts or, in some cases, leave it to the public university systems to create their own policies.

New Jersey Assemblyman Gary Schaer, a Democrat, says it's an economic question, rather than an immigration issue.

"Clearly, it's to New Jersey's benefit to have one of the most educated workforces in the country," said Schaer, one of the main sponsors of New Jersey's new bill. "It's not a question of progressiveness, but rather a question that it's in our own basic self-interest to have these kids educated."

New Jersey had already let undocumented students pay in-state tuition, which remains a point of contention in many states.

Georgia, responding to two of its schools becoming less competitive, said in 2016 it would admit undocumented students to Augusta and Georgia State universities — allowing Jo to attend the college of his choice, after all. However, this month, the Georgia Supreme Court declined to take up an appeal from immigrant students, keeping in place the mandate that they pay out-of-state tuition. (Alabama and South Carolina are the only other states where undocumented immigrants are denied enrollment to public colleges.)

"I think people on the other side try to characterize it as lacking compassion," Georgia State Sen. Joshua McKoon, a Republican, said. "But we have people who are here legally and illegally and there are finite resources."

According to McKoon, the DACA program has resulted in "tremendous collateral damage for states" and created a "tremendous level of uncertainty," especially now.

"Do we make tremendous investments in people who are going to be subject to deportation to in three or four years?" he said.

"The greater number of people that qualify, the greater the burden is on the people of this state."

In 2015, Arizona's board of regents, the governing body of its public university system, decided to offer in-state tuition to its DACA students. But the state Supreme Court overruled them earlier this month. The state's top court took the Trump administration's position, ruling that DACA students are not here lawfully and therefore cannot receive the same tuition benefits as legal residents — an action that could cause costs to skyrocket, according to the Arizona Republic.

Jo, now 19, said he's one of the lucky ones. He was accepted to Georgia State, and was granted a little-known merit-based tuition reduction waiver that helps reduce his education costs.

But he still frets about the long term, since the future of the DACA program remains in doubt and his home state takes a strict approach to the issue.

"Here's the thing: I'm undocumented, I have DACA, but I got my first job when I was 16, I pay my taxes, I pay my sales taxes, I pay my income taxes," he said. "It isn't like we're not contributing to society, it's not like we're taking state

resources for another country or for ourselves ... We do everything citizens do but get none of the benefits."

Charles Kuck, a Georgia immigration attorney who represented the group of immigrant students who sued the state over its tuition policies, said the issue boils down to how much states want immigrants to be a part of their workforce now, and in the future.

"The dumb states wallow in nativism and the others are forward-looking because if you're educated in the state, you're more likely to stay in the state," Kuck said. "Why wouldn't you educate your future workers? It makes no economic sense."

"Eventually," he added, "there will be some relief for these DACA kids, and these states are living in a state of denial that somehow DACA kids are going to leave."

Confusion, Calculation And Fear Keep DACA Beneficiaries From Renewing Their Status While They Can

Hampton Roads (VA) Virginian-Pilot, May 19, 2018

For thousands of undocumented young men and women, a judge's order in January amounted to a reprieve — a chance to renew their legal protections after President Donald Trump's decision last year to kill the Deferred Action for Childhood Arrivals program.

But many DACA beneficiaries have been slow to reach for the lifeline, according to figures from U.S. Citizenship and Immigration Services. The pace of applications and renewals has picked up dramatically in the past few months, but many DACA beneficiaries are still hanging back.

More than 9,000 people formerly protected by DACA already have lost their status and are now at risk of being deported.

Lawyers, activists and people enrolled in DACA say that part of the reason for the slow pace is confusion spawned by court fights. Part is also anxiety spawned by the unforgiving enforcement policies of the Trump administration.

"We're telling people, 'You need to renew.' The problem is, they don't trust that anymore," said Elias Rosenfeld, a student and activist who was able to renew his own DACA protections. "It's real fragile right now."

Lawyers say some clients are afraid to put in renewal applications, worried about attracting attention from enforcement agents.

"I think there's massive anxiety," said David Leopold, an immigration lawyer in Cleveland. "Look at the president. You don't know from one day to the next what's going to happen with this White House."

Ever since the DACA program was created by President Barack Obama in 2012, after the collapse of immigration reform efforts in Congress, it has been a rallying

point for immigrant advocates — and a target for the anti-immigration wing of the GOP.

Under DACA, undocumented people who otherwise have clean records — often referred to as Dreamers — can receive a two-year reprieve from deportation. Close to 800,000 of them have had an opportunity to work legally and attend school as DACA beneficiaries.

Last September, the administration announced an end to the program, with an immediate cutoff in new applications and a tight window to renew for people whose protections were running out.

But the program was restarted after a Jan. 10 decision by U.S. District Judge William Alsup in San Francisco, who said that the administration relied on flawed legal reasoning by Attorney General Jeff Sessions in ending the program; federal judges in Brooklyn and Washington, D.C., subsequently wrote similar decisions.

Renewal applications were slow to come in after the window reopened on Jan. 10 — just 11,000 through Jan. 31. U.S. Citizenship and Immigration Services didn't approve any of them at first, statistics show.

But more than 59,000 applications came in during February and March, and 32,000 were approved, the figures show. All told, counting applications already in the pipeline before January, the agency approved more than 55,000 applications in the first three months of the year. Another 51,000 were pending on March 31, a jump from December.

The future of DACA is a bigger issue in Southern California than anywhere else in the U.S. Of the 694,000 people who currently hold DACA protections, nearly 200,000 are from California, with about 62 percent living in the Los Angeles, Riverside and San Diego metro regions, according to Citizenship and Immigration Services.

Rosenfeld, 20, was brought to the U.S. from Venezuela when he was 6. He entered on a legal visa, but his mother died when he was 10, which meant he couldn't renew the visa and fell out of legal status. Now a student at Brandeis University, he spends much of his time in Washington, lobbying members of Congress for legislation protecting Dreamers.

With his original DACA permit due to expire this August, Rosenfeld was shut out by last year's order ending the program. The court decision reversing that order allowed him to apply for renewal.

"It was an immediate blessing," he said. "It at least extends our future in this country for two more years."

The federal statistics tell a story of thousands of procrastinations, private calculations and personal gambles. Many DACA beneficiaries seemingly are betting that the courts will keep the doors to DACA open, at least for this year. There's a disincentive to applying too early: Renewals are good for two years from the day they're issued, not two years added on to the original period.

The decisions to wait could collectively add up to trouble later this year, assuming the program remains in effect. Of the 165,210 people whose DACA protections expire from June to December, only about 12 percent have applied for renewal, according to figures through March 31, suggesting that a surge is coming, along with possible bottlenecks in an already slow system.

A USCIS spokesman said the agency is handling DACA applications as they arrive, with a goal of deciding them within 120 days, though lawyers say the agency often takes longer.

"I think it's a real difficult decision," said Nicole Prchal Svajlenka, a senior policy analyst at the left-leaning Center for American Progress who has been tracking the DACA statistics. "Do you apply now and take what you can get, or wait and hope?"

Svajlenka also blamed Citizenship and Immigration Services for not doing more to publicize the program's revival, leaving advocacy groups to try to sort out the muddle created by the agency's complicated deadlines and the court orders.

"I think there's a ton of confusion over what's going on with DACA anymore," she said.

The growing hostility of Trump to the program also has people nervous. Earlier this year, when he was pushing for a deal with Congress, Trump said he was looking for a "bill of love" to protect Dreamers, but that affection curdled quickly after negotiations fell apart.

Now, incensed about asylum seekers and the slow pace of his promised border wall, Trump tweeted on April 1 that "DACA is dead" and "NO MORE DACA DEAL!"

The legal future of DACA also is far from secure. Last month, seven states seeking to end the program filed suit in federal court in Texas, where judges have been more hostile to the Obama administration's immigration policies. If there are competing court decisions, that could hasten a review by the Supreme Court.

Sonia S. Figueroa, an immigration lawyer in Los Angeles, said that she's advising clients to apply now, while the window is still open.

"If they're going to jack you, they're going to jack you anyway, so it makes no difference if you apply or not" in that regard, she said. At the same time, she said, she advises clients to keep a low profile, just in case, particularly now that agents are scrutinizing social media accounts.

"We tell our clients, don't post anything, period," Figueroa said.

One DACA beneficiary who didn't wait is Bernard Pastor, 25, who came to the U.S. at age 3 during the civil war in Guatemala. Pastor, now of Finneytown, Ohio, near Cincinnati, had allowed his DACA protections to lapse and was allowed to reapply only after the court decision in January. His application is pending.

"It's a sigh of relief if I'm on it," he said. He knows the extension, if it comes, may just be temporary. But Pastor, who manages a Valvoline oil-change shop, said he's not putting his life on hold anymore, no matter what, and is pressing ahead with plans to build a family and a career.

"The issue of immigration is always going to be there, I've accepted that fact," he said. "But I've been grateful. I'm making the most of what I can, with what I have. You've got to start looking at your future now."

Labor Shortage? Employers Tap Foreign Workers, Visas Permitting.

Christian Science Monitor, May 18, 2018

Todd Barry knows the quandary of today's US job market better than most. "It's great that the economy is good, but if you don't have the staff to operate you're in trouble," says the owner of Moby Dick's Restaurant on Cape Cod. Workers from other countries make up a sizable portion of his staff each year. But Republicans in Congress pared back the so-called H-2B program of temporary visas in 2016, leaving many seasonal businesses around the United States wondering if they'll be able to find enough workers. Skeptics of the program say the answer is, "hire American." David North, an advocate for less immigration, calls the program a form of indentured labor since the guest workers are tied to their employer. Supporters say labor inspectors closely monitor the program and that the visas go where workers are truly scarce. Congress allows 66,000 H-2B visas each year, split between winter and summer seasons. Now, from Louisiana to Maryland, many businesses are still waiting to find out if extra visas will be approved – and pondering how to cope if they aren't.

Inside the white-shingled beachfront building, past the doubled-stacked lobster tanks out front, Tim McNulty is back in the kitchen with his lunchtime crew. It's an overcast midweek day, and no tour buses are in town, but there's a steady flow of diners into the family-owned restaurant.

Mr. McNulty is part of that family. He started out in the kitchen, after his mother bought the Lobster Pot in 1979, and he worked his way up to executive chef. For the past two decades, he's come to rely on guest workers who arrive in April and stay into October, when the shutters come down for the season and the neon lobster sign outside goes dark.

This year he caught a break: His regular crew of Jamaican chefs and dishwashers and janitors all got their seasonal work visas. Other business owners, from hoteliers and caterers to landscapers and swimming-pool cleaners, weren't so fortunate.

Along with crabbers in Maryland and shrimpers in Louisiana, many here on Cape Cod came up short in what has become an annual scramble for H-2B visas, a non-

immigrant category of visas that nonetheless has become a lightning rod in the national immigration debate.

Residents and tourists walk past the Lobster Pot restaurant in the center of town, September 17, 2015 in Provincetown, Massachusetts. Fishing and tourism are big moneymakers here.

cap of 66,000 H-2B visas, divided equally into winter and summer seasons. That the decades-old program is now hugely oversubscribed – 81,600 applications were filed on Jan. 1 for summer jobs – is another sign of a strong economy with low unemployment. And to employers and their advocates, the answer is simple: Issue more visas and fill the jobs with foreigners.

"This is a crisis. Seasonal businesses are shutting down or turning away business," says Laurie Flanagan, co-chair of a coalition of business groups that rely on H-2B workers.

To critics of H-2Bs and other work-visa programs, the signal is different. Employers are exploiting cheap labor from abroad to fill jobs that Americans could do, provided the pay was improved. "The solution is to raise the wages. It wouldn't take much, maybe a dollar or two more an hour, and bingo, you'd have everyone you wanted," says David North, a fellow at the Center for Immigration Studies that advocates for lower immigration to the US.

While President Trump has catalyzed anti-immigrant sentiment in the Republican Party and cajoled US companies to "hire American," he takes a more benign view of guest workers. Indeed, Mr. Trump's resorts in New York and Florida have obtained H2-B visas to hire foreign servers, cooks, and housekeepers.

Last month the president told a rally in Macomb County, Mich. that "our unemployment picture is so good and so strong that we've got to let people come in, they're going to be guest workers." Trump added, "we're gonna have the H-2Bs come in ... but then they have to go out."

And this is exactly what happens, says Don Berig, who has owned the Lobster's Claw in Orleans for 49 years. "They come and they go home. They don't break the law," he says of his 15 guest workers from Jamaica and Slovakia.

Last year Berig and his wife, who are both in their seventies, were themselves working in the kitchen, cooking and cleaning, because their foreign workers were still waiting in April for their visas.

Employers on Cape Cod say it's not as simple as paying higher wages to "hire American," given a small year-round population and expensive housing that deters job seekers from afar. (For the guest workers, employers are often able to help find cheap but very modest housing.) Under the H-2B program, employers must first advertise jobs in newspapers and online before the visas are issued. But they say this rarely turns up candidates willing to work as cooks or housekeepers for \$15 an hour, as guest workers do.

"There's not enough people locally to meet the demand," says Chris Kolwicz, a manager at the Wychmere Beach Club in Harwich, which employs 135 seasonal staff. This year he applied for 18 H-2B visas – and received none. "It's frustrating," he says.

To fill slots, Mr. Kolwicz has gone to job fairs and for some positions bumped starting wages, but is still short staffed. And applicants don't always show up for job interviews, he gripes. Like many here, he hires college students to work in bars and restaurants, but most are gone by mid-August, and the season runs into September.

"Businesses are hurting. It's great that the economy is good, but if you don't have the staff to operate you're in trouble," says Todd Barry who owns Moby Dick's Restaurant in Wellfleet. In past years, around a quarter of his workers came on H-2B visas, but this year he didn't enter for the program, deterred by the expense and hassle. He hires European students who come for the summer on J-1 visas and, for the first time, went to Puerto Rico in January to recruit there.

"I want to hire Americans, but they're not available for the timeframe that we need them. And it's not a matter of paying more. We pay good wages," Mr. Barry says.

Jamaicans Angeneta Grant and her husband, Orville Ruddock, in the US on H-2B visas, are cooks at the Lobster Claw in Orleans, Mass. The restaurant has long employed workers from Jamaica as cooks, bus boys, and dishwashers for the summer season, on the visas for temporary nonagricultural jobs.

Under the spending bill Congress passed in March, the Department of Homeland Security (DHS) has the authority to issue additional H-2B visas. Last year an extra 15,000 visas were released, but not until July, too late for many resort owners. And while Trump has praised guest workers, the program is seen as toxic to immigration hawks in his administration.

A separate guest-worker program for agricultural workers is also in the spotlight. Farmers in California and other states have complained that repeated delays in issuing H-2A visas are leading to fruits and vegetables going unpicked. The crackdown on illegal immigration is also affecting the sector; nearly half of farm workers in the United States are unauthorized, according to official surveys.

Until 2016, Congress exempted H2-B holders who had worked in any of the previous three years from the annual cap, effectively expanding the pool of workers. Among those who opposed this exemption were then-Senator Jeff Sessions (now Trump's attorney general), along with Sen. Bernie Sanders on the left. The exemption ended four months before Trump took office on Sept. 30, 2016.

Mr. North, who served in the Labor Department under President Lyndon Johnson, describes himself as a "liberal restrictionist" on immigration policy and says employers have

been "spoiled" by foreign labor. "My opposition to foreign worker programs relates to numbers not ethnicity," he says.

He points to incidents of abuse and trafficking of H-2B visa holders whom he calls a form of indentured labor since they are tied to their employer. Ms. Flanagan says labor inspectors closely monitor the program and points out that workers are given cards detailing their legal rights while in the US.

Back at the Lobster Pot, more than a third of McNulty's 100-strong workforce are H-2B visa holders. They are familiar faces, coming back season after season to cook and clean and serve. For the past two years McNulty opened the restaurant a month late in May because their visas didn't come on time. And the uncertainty over who would get visas this year – DHS switched to a lottery system because of the huge demand – forced him to draw up a Plan B for this year.

That plan was to only serve dinner, not lunch, until he could find and train new workers. "Right now, we wouldn't be open, if we didn't get our [foreign] staff," he says.

McNulty estimates that opening a month late in 2016 and 2017 meant around \$900,000 in lost revenue. That revenue also supports his local suppliers and state tax collections, and puts money into the hands of workers who spend it. "Everyone loses," he says.

Pregnant, Traumatized, And Trapped In Asylum Limbo

Vice, May 21, 2018

Seven-month pregnant belly ballooning out from her petite frame, Saba, an Ethiopian journalist, sat on the couch of a sparse Virginia apartment where she prays each day for a letter from US Citizenship and Immigration Services. The 33-year-old has been waiting more than two years for an asylum interview, and has no indication from USCIS when she will be called. She doesn't know what is going to happen to her or her unborn child.

"There's something dragging me behind like I don't belong here. I cannot go ahead or go back," said Saba, who requested that I use a pseudonym since she fears speaking out could compromise her pending case. "I'm like in the middle of nowhere."

In Ethiopia, she told me, she worked for the national TV news channel and was tortured, threatened, and detained for reporting on government corruption. So she got a visa to travel to the US for an international women's right conference in 2016, and once here she applied for asylum. She first stayed with a friend in West Virginia, then moved to the DC area to stay on her friend's family's couch, and finally recently got her own apartment with her partner. She's done all of this while waiting to see if she'll be allowed to stay permanently in the US. The stress of this wait, on top of the trauma she faced in Ethiopia, is now causing her memory loss.

"I'm in a conversation with family or friends, and when they talk about some of the things we've done not too far ago I have a hard time remembering," said Saba, noting that her relatives and friends raised this concern repeatedly with her. "I'm definitely becoming forgetful of a significant amount of things nowadays."

She still has no idea how long her case will be delayed—and can't imagine raising a child amid such uncertainty. Saba had no insurance when she found out she was pregnant and cannot access Medicaid until she gets granted asylum. Her partner, a fellow Ethiopian asylum seeker who worked as an IT specialist before coming to the US, is struggling to find work and also has no updates about his three-year-old case.

"I didn't know what to do—I'm not settled, this is not a good life," she said of her pregnancy. She admitted that at one point she'd nearly lost all hope. "I felt like I should not be living anymore."

Asylum seekers who have been waiting for years to present their cases have now been booted to the very end of the line: The Trump administration ordered in January that USCIS process new claims first and then work backward. And the government is giving longtime asylum seekers—going back as far as individuals who applied in 2013—no indication of when they will have an appointment, access to social services, and the security of a permanent status until after they have finished the process. According to the USCIS, the agency faces a "crisis-level backlog" of more than 300,000 cases.

"There's no sense of when it will be over for them," said immigration attorney Lindsay Harris, a professor at the University of the District of Columbia who specializes in asylum. Previously USCIS published a schedule with anticipated wait times for asylum interviews, but this year the agency removed the schedule, Harris noted. "Now we have no idea when they're going to be interviewed."

Organizations working with asylum seekers now rarely, if ever, see appointments scheduled for their clients who've applied for status in the past few years, immigration attorneys and advocates told me. "This is causing people a lot of mental anguish," said Megan Brody, managing attorney for the refugee resettlement organization HIAS, which is providing legal services to Saba.

"We in the last month have had two clients have what I'd describe as mental breakdowns because of this policy," said Brody, noting that none of her clients who applied for asylum between 2014 and 2017 had been called for interviews since the policy change. "One of them went back to his country where he faced persecution and then had to escape to another third country."

Even asylum seekers who surmount the psychological difficulty of this limbo confront constant practical challenges, such as finding healthcare, a job, or a place to stay. Asylum

seekers are not eligible for public housing, food stamps, Medicaid, or other social services. And though they can apply for work permits 150 days after filing their asylum applications, many do not speak English and almost all struggle to get employment in an unfamiliar system. Small nonprofits are stepping up to fill in service gaps for this population that receives no government support, but the providers are scarce and there's no way for them to keep up with the need.

"We don't advertise because it's a floodgate," said Joan Hodges-Wu, founder and executive director of the Asylum Seekers Assistance Project (ASAP), a two-year-old nonprofit that serves roughly 25,000 asylum seekers in Washington, DC.

ASAP helped Saba with a weeklong job-readiness training that enabled her to move up from working at a gas station to a hotel—which, while still far from her field of journalism, was able to offer health insurance, helping immensely with her pregnancy. ASAP is also organizing a baby shower for Saba, who visits their office regularly for moral support.

Hodges-Wu noted that many asylum seekers' lack of access to toiletries, housing, and other basic necessities revealed a "destitution that you don't see in typical American experiences." Saba slept on a friend's couch for over a year before she was able to move into a small apartment with her partner—and she was relatively lucky. Many asylum seekers without friends or family in the US can end up on the street, said Tiffany Nelms, who runs the Asylee Women Enterprise in Baltimore, another of the critical nonprofits catering to asylum seekers' needs.

"I have a husband and wife right now that we put in a hostel for a week to try to figure out where we're going to house them," Nelms told me of a West African couple who speak no English. "Otherwise they would have been homeless tonight... These are situations we face on a regular basis."

Perhaps the greatest tribulation for longtime asylum seekers in the US is their separation from relatives abroad. Once an individual is granted asylum, she can apply for her immediate family to join her, but until then doing so is impossible. Marta, another Ethiopian asylum seeker in the DC area, has been waiting in the US with her two young children since 2013, but her husband has still not been able to join them. "The hardest thing is being apart from my husband," said Marta, who asked that I only use her first name.

Currently USCIS still has yet to adjudicate several hundred asylum applications from as far back as 2013, USCIS spokesperson Joanne Talbot told me in an email. She emphasized that the change in processing order was meant to tackle the asylum office's backlog. Talbot noted that this processing order was also used from 1995 to 2014 in order to

deter illegitimate asylum seekers from taking advantage of backlogs.

"USCIS is returning to this approach in order to deter individuals from exploiting the backlog to obtain employment authorization by filing frivolous or fraudulent asylum applications," she said in an email.

With fewer applications, the backlog would decrease, the agency has maintained. "Delays in the timely processing of asylum applications are detrimental to legitimate asylum seekers," said USCIS Director L. Francis Cissna in the agency's January announcement about the program. "Lingering backlogs can be exploited and used to undermine national security and the integrity of the asylum system."

This "last-in, first-out" approach worked to deter fraudulent applications in the past, said Doris Meissner, who oversaw the program as Commissioner of the US Immigration and Naturalization Service during the Clinton administration. "It is possible in a last-in first-out policy to put the asylum system back onto footing where decisions could be made in a timely basis but also in a way that is fair," Meissner told me.

Still, she said the government in the 90s continued to balance both new and old applications and kept to a schedule that informed those waiting of when they could expect their interviews.

"The resources have got to be used not only on the recent cases but also on a parallel track to be working off the backlog," she said. "We put resources increasingly onto the backlog cases so that that caseload would also have the opportunity for an interview and for cases to be decided. It took longer but there was some degree of predictability to it all."

But under the current system, asylum seekers have been left to languish for years in uncertainty.

"I was expecting this place to be where I could be safe and continue my life and career as a journalist, but this is an endless process and I feel like I don't belong here," said Saba. "I have a lot of fear. I feel like they're going to send me back home, and that my life is going to be over."

As Trump Tightens Asylum Rules, Thousands Of Venezuelans Find A Warm Welcome In Miami

By Anthony Faiola And Nick Miroff
Washington Post, May 15, 2018

Venezuelans seeking asylum in the United States are arriving to this city in soaring numbers — and receiving a far warmer welcome than the Central American migrants President Trump wants to block at the Mexican border.

Last year, 27,629 Venezuelans petitioned U.S. Citizenship and Immigration Services for asylum, an 88 percent increase from 2016 and up from 2,181 in 2014. So far

this year, the number of Venezuelans who have applied — nearly all of them in Miami — is almost three times as great as any other nationality, according to the latest USCIS asylum data.

Unlike the Central Americans who waded illegally across the Rio Grande and turn themselves in to U.S. border guards, the Venezuelans typically land at the Miami airport with tourist and business visas.

They are, in general, wealthier and more likely to have legal representation, an advantage that significantly boosts their chances of being allowed to stay, statistics show. And they have the backing of South Florida politicians, especially Cuban American lawmakers who view them as natural allies in a regional struggle against Latin American leftism.

The Venezuelans are fleeing a near-total societal collapse after two decades of socialist policies as well as years of governmental mismanagement, corruption and waste. The crisis has left nearly 87 percent of Venezuelans in poverty, generated the world's highest inflation rate, and made food and medicine scarce.

Those who reach Miami are a small and privileged part of a much bigger refu-gee crisis. According to U.N. data, 180,000 Venezuelans fled their country during the first three months of 2018, compared with 217,000 during all of 2017. Most cross by land into Brazil and Colombia, and the exodus is likely to accelerate if, as expected, leftist Nicolás Maduro wins another six-year term in the May 20 presidential election.

The country's main opposition parties are boycotting the vote, citing a looming fraud.

Venezuelans with the means to reach the United States can be confident that they'll be allowed to stay. The U.S. immigration system considers them "affirmative asylum" cases because applicants who file such claims typically enter the country legally and then request permission to stay.

That differs from asylum seekers who file a "defensive" claim to avoid deportation, a category that would include the larger pool of Central American migrants arrested along the Mexico border. Affirmative applications can be approved by a USCIS asylum officer, rather than an immigration judge.

Central American migrants who traveled in a caravan to file legal asylum requests at the U.S.-Mexico border drew the ire of Trump this spring, and many of those travelers said they, too, were seeking shelter from gang violence and chaos back home. The majority of caravan members were from Honduras, where U.S.-backed right-wing president Juan Orlando Hernández was reelected last year in a contest whose results were rejected by international observers.

The percentage of asylum seekers who were denied reached its highest level in a decade last year, and Central American applicants were among the most likely to be turned down, according to immigration data compiled by the TRAC project at Syracuse University.

Michael Bars, a spokesman for USCIS, said the agency can grant asylum to "those who have been persecuted or have a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion if returned to their native country."

"Each asylum claim is evaluated on a case-by-case basis and determinations are fact-specific," Bars said in a statement.

In a city shaped by successive waves of refugees from communist-run Cuba, the asylum officers, immigration judges and wider political establishment are deeply sympathetic to the Venezuelans' plight.

"If a client has a personal story that hits all the right notes, they will get asylum," said one Miami immigration lawyer busy with Venezuelan clients. The attorney, who spoke on the condition of anonymity to share candid views, joked that Maduro is "paying for our family vacations" by sending him so much business.

Since Hugo Chávez took office in 1999, wealthier Venezuelans desperate to escape the socialist experiment in a country that used to be Latin America's richest per capita have transformed South Florida. More than 130,000 Venezuelans now live in the tri-county region from Palm Beach County to Miami-Dade County, including thousands who have scooped up multimillion-dollar condos and pricey waterfront mansions.

Some effectively bought their way in — obtaining special visas that grant residency to foreigners who invest at least \$500,000 in the United States. To a lesser extent, upper-class Venezuelans are still coming, with Miami developers still tapping their deep pockets to finance luxury high-rises. Last year, Venezuelans were the fourth-largest foreign investors in Florida real estate.

But added to the mix are a host of middle-class, professional Venezuelans — engineers, teachers, oil workers, small-business owners. Most new arrivals had managed in the past to secure U.S. tourism visas. Now, they often enter legally by plane and apply for asylum once they arrive.

"Out of every Venezuelan now coming as a tourist through [Miami International Airport], I'd guess 80 percent are going to apply for asylum," said Elizabeth Blandon, an immigration lawyer based in Weston, a city north of Miami now nicknamed "Westonzuela" because of the flood of Venezuelan immigrants.

Entire South Florida neighborhoods have turned into Venezuelan enclaves. In Doral, a mix of urban sprawl and upscale communities in the shadow of Miami International Airport, Venezuelans make up about 22 percent of the population of 58,000, compared with 12 percent a decade ago, according to Mayor Juan Carlos Bermudez.

"Cubans [in South Florida] have great empathy for the Venezuelans; they are going through the same thing that our families went through," said Bermudez, a Cuban American.

The latest U.S. immigration statistics show that Venezuelans are significantly less likely to be deported. Since the start of the current fiscal year on Oct. 1, the United States has sent back only 150, and 248 during the 2017 fiscal year, when more than 74,000 were deported to Honduras, Guatemala and El Salvador.

Carlos Colombo, an immigration lawyer whose firm has offices in Orlando and Miami, said Venezuelan asylum applicants have a success rate above 80 percent — compared with 50 to 60 percent for his Central American clients. That success rate, however, may begin to drop, he believes, given the surge of applicants, many of whom have fled violence and economic collapse rather than targeted political persecution.

"In the past, I think a lot of Venezuelans were hopeful that things would change, that things would get better in Venezuela, and they really did not want to leave," he said. "But what we're seeing now is that to a large extent, they have lost faith in outside pressure from other countries, including the U.S., in trying to have a regime change. The levels of poverty and crime is out of control, and they have lost everything, so people are giving up and leaving."

Blandon said that, in several respects, they have become the new Cubans — a class of applicants who tend to enjoy high success rates in being granted legal status, in part because of their flight from left-wing, anti-U.S. governments.

Immigration officials, she said, are quick to challenge Central American asylum applicants, suggesting their struggles at home are more related to gang violence than official persecution. "But with the Venezuelans, the first thing they think of is that the government is killing its people. For that reason, the Venezuelans are good."

One of Blandon's clients is the owner of a mattress store whose wares were confiscated by the National Guard under Maduro's Bed and Mattress Plan, which guaranteed that every Venezuelan would have a place to sleep. "That's official persecution," she said. "That's reason for asylum."

On a recent afternoon in Doral, around the corner from Arepazo, a restaurant known for its Venezuelan exile intrigue as much as its traditional cornmeal cakes, a steady flow of newcomers lined up in the hallway of a storage space where a nonprofit group was giving out food, clothing, small appliances and toys. Every Venezuelan approached by a journalist said he or she was in the midst of applying for political asylum.

Some cases appeared stronger than others.

One woman, a 47-year-old from Caracas who said she had worked at the Venezuelan Ministry of Education, fled to the United States in March after a dispute with her boss. She

said she feared for her safety, mostly because she did not support Maduro.

"They make you wear red shirts — and if you don't, they go after you," said the woman, referring to the signature color of the ruling party. She declined to give her name.

The bigger problem, she said, was a lack of food. "There is nothing in the stores, and what's there is too expensive. People are starving. Nobody wants to leave, but to survive, you have to."

According to Venezuelan business executives, the U.S. Embassy in Caracas has become more selective in giving out tourist visas, and those who get them are receiving smaller windows for travel. In a statement, a U.S. consular official said decisions are made on a case-by-case basis, adding that "consular officers reserve the right to limit visas for legal or policy reasons."

Antonio Marvel, 55, was among 30 Venezuelan lawyers named by opposition politicians last year as their candidates to replace the justices on the pro-government supreme court. Maduro denounced the move. Marvel and other lawyers were soon labeled "enemies of the state."

Fearing arrest, he went into hiding — then sneaked out of Venezuela on a boat to the island of Curacao. From there, he boarded a plane to Miami. Arriving on a tourist visa to attend a meeting at the Organization of American States in Washington, he applied for asylum shortly after.

His wife and adult children have joined him in Miami, living in a modest rental in Doral. He said he believes the Venezuelan cause has gained more notoriety in the United States because its socialist system had run the nation into the ground.

"The Venezuelan regime has copied the Cuban model, and that's why the situation we're living has become more known," he said. "But also because Venezuela is going through a deep humanitarian crisis. . . . I don't think it has to do with the fact Venezuelan leaders are anti-U.S. We're simply in worse shape."

Yet, like the Cubans before them, the Venezuelans are emerging as an anti-communist special interest group in a key swing state where they are being aggressively courted by Republicans. After forcefully denouncing Maduro before a group of exiles in Miami last year, Vice President Pence invited some of them to his May 27 speech at the Organization of American States, where he is likely to make Venezuela a dominant theme.

To some extent, the desire to court a growing and influential community in a swing state has spilled over into the realm of immigration.

In April 2017, Marco Coello, a 22-year-old Venezuelan asylum seeker who was detained and allegedly tortured by the government in 2014, was arrested after his interview with U.S. immigration officials in Miami. Despite the fact that Coello had an active asylum case, officials said he had

overstayed his visa and had been convicted of a misdemeanor for trespassing. "They wanted to have me deported," Coello said.

Blandon, the lawyer, went public after Coello's arrest. His case reached the office of Sen. Marco Rubio (R-Fla.), a Cuban-American politician who has guided the Trump administration's hard line on Venezuela.

Rubio intervened in the case, Blandon said, and the next day, Coello was free.

Democrats Criticize Justice Official For Refusing To Answer Questions About Adding Citizenship To Census

By Deborah Barfield Berry

USA Today, May 18, 2018

WASHINGTON — A week after a Justice Department official failed to show up for a hearing, Democrats blasted him Friday for not answering questions about the agency's request to add a controversial question about citizenship to the 2020 Census.

Rep. Elijah Cummings, the top Democrat on the Oversight and Government Reform Committee, criticized John Gore, acting assistant Attorney General for Civil Rights, for refusing to answer questions, saying the committee is investigating how and why the agency requested the Census Bureau add a citizenship question.

"We have a job to do," Cummings of Maryland told Gore. "That is our job under the Constitution. That's why we want you here. Your job is to answer our questions."

Gore was the lone witness at the committee hearing Friday on the status of the upcoming decennial count. The panel had agreed to subpoena Gore last week after he didn't show for a hearing that featured several Census Bureau officials.

Lawmakers had planned to ask Gore about the Justice Department's request to add the citizenship question. Commerce Secretary Wilbur Ross announced earlier this year that Census would add the question.

Gore told lawmakers Friday he backed out of testifying last week when he learned there would be a non-government witness on the panel, which he said is the agency's practice.

Gore also told the committee he couldn't answer many questions about the citizenship question in part because of pending lawsuits.

Several national civil rights groups, state attorneys general and other groups have sued over the decision to add the question. Some Democratic lawmakers have introduced bills to reverse the decision. They argue it could lead to an under count, particularly in communities of color.

In testy exchanges, Democrats took Gore to task.

"We're not asking about your litigation..." Cummings said. "We are investigating the underlying facts of how and

why did you and (Attorney General Jeff Sessions) ... come to ask the Census Bureau to add a new untested citizenship question to the Census."

Gore defended the agency's move saying it's important to have racial and citizenship data at the Census block level.

"The Department of Justice is resolutely committed to the robust and evenhanded enforcement of the nation's civil rights laws and to free and fair elections for all Americans," he said.

The Justice Department asked Census officials in December to "reinstate" the question, which was last asked in 1950 on the short-form Census questionnaire most people receive. Justice officials said the information would help in enforcing a key provision of the 1965 Voting Rights Act designed to protect against discrimination in voting.

Some Republicans have also defended the addition of the question.

Rep. Gary Palmer, R-Ala., said the government needs to know who is within our borders. He said it's unfair for some states, particularly those with sanctuary cities, to be able to count residents who are not citizens.

Earlier in the week, Ross said there has been support for the decision, including from some state attorney generals.

"It's not a novel question. It's been asked every year on the American Community Survey in the exact same form that we're planning to do on the census this year," Ross said Monday at the National Press Club. "Sixty-one million families have already been exposed to the question and the sky has not fallen. So I don't think the sky will fall when we add it to the Census itself in 2020."

Ross said the agency is taking steps to maximize participation, including an ad campaign.

"We're also putting the citizenship question last so that someone who for whatever reason feels uncomfortable with that question, at least they can deal easily with the questions with which they're not uncomfortable," he said.

Democrats repeatedly attempted Friday to get Gore to explain the agency process for deciding to request the addition of the question.

Rep. Trey Gowdy, R-S.C., chairman of the committee, said he can make a witness appear, but "I cannot make someone talk."

Gowdy and Rep. Carolyn Maloney, D-N.Y., had called for last week's subpoena.

Maloney called Gore's refusal to answer questions "unacceptable," noting that he didn't show for last week's hearing. "At the very least you should answer questions," she said.

Maloney dismissed Gore's argument that he couldn't answer questions because of litigation, saying the government gets sued all the time.

Maloney, who has introduced legislation that would stop the Census Bureau from adding untested questions late in

the planning process, called on the committee to vote on a request to force Gore to answer the questions. It failed along partisan lines.

"We are not asking you one word about litigation...", Maloney said. "We are asking about the underlying facts and we have every right to ask about them. It's our responsibility to ask about them."

USA TODAY reporter Herb Jackson contributed to this story.

Supreme Silence In Longrunning Immigrant Abortion Controversy

By Kevin Daley

Daily Caller, May 20, 2018

After six months, the U.S. Supreme Court has not acted on a Justice Department request to vacate a lower court order requiring President Donald Trump's administration to facilitate an abortion for an illegal alien and punish ACLU lawyers for allegedly unethical behavior.

The Court's protracted silence in the matter is somewhat unusual, suggesting the justices are divided as to how the case should proceed.

The case, *Azar v. Garza*, was occasioned in October 2017, when an undocumented teen in federal custody, known in court papers only as Jane Doe, learned she was pregnant and asked authorities to terminate her pregnancy. The U.S. Department of Health and Human Services refused, claiming it had no obligation to facilitate abortions for minors in their care.

The full U.S. Court of Appeals for the D.C. Circuit concluded the government's actions imposed an undue burden on abortion access, in violation to the Supreme Court's 1992 decision in *Planned Parenthood v. Casey*.

ACLU lawyers immediately moved to schedule an abortion, which occurred on Oct. 25, before the administration could appeal to the Supreme Court.

In a remarkable filing to the justices, the Justice Department claimed ACLU lawyers deliberately misled them as to the timing of the procedure and asked the justices to sanction the responsible attorneys. They also asked the high court to vacate the D.C. Circuit's decision under a legal rule known as *Munsingwear doctrine*. The doctrine provides that decisions that are mooted pending Supreme Court review should be expunged. (RELATED: *Surrogate Mothers Ask Supreme Court To Recognize Their Rights*)

Their petition has been relisted 14 times since the petition was first filed in November 2017. The justices meet in private conference on a regular basis throughout the term to discuss, among other things, which cases they will review. A list of cases is set for discussion in advance of each conference. A case is "relisted" when the Court takes no

action on the petition and reschedules it for discussion at a future date.

Few cases are ever relisted, and fewer still are relisted as many times as the *Garza* case.

Relists sometimes precede a decision to grant a petition and schedule it for briefing and argument. In other instances, cases are held over while one or more of the justices writes an opinion concerning the Court's decision to deny the petition at issue.

It's impossible to know what's happening with respect to the *Garza* case, but the possible alternatives are clear — either a grant is coming, or one of the justices is writing an opinion about the Court's decision.

Action on the much-watched petition could come as soon as Monday.

What Do U.S. Immigration Policies Mean For The Healthcare Workforce?

Modern Healthcare, May 19, 2018

At Providence St. Joseph Health, eight staffers have been forced to take a leave of absence because they lost their ability to work in the U.S. under the Deferred Action for Childhood Arrivals program. And nearly 300 of the system's 110,000 employees are either nationals or dual-nationals from the seven countries targeted in President Donald Trump's travel ban.

"Even though that's a small number, it's pretty palpable that people who have been great employees are no longer working," said Dr. Rod Hochman, the system's CEO. "That's very problematic for us."

Trump's various executive orders to implement the travel ban have been blocked in court several times, but the administration still believes it will prevail in banning travel from Iran, Libya, North Korea, Somalia, Syria, Venezuela and Yemen. The U.S. Supreme Court is currently deciding the fate of challenges to the executive order and is expected to rule in the coming weeks. Observers expect the high court's ruling to fall along party lines and ultimately uphold the travel ban.

"Overall, I would say it's just cast a sense of doom over folks in terms of the way they want to interact and think about their work and their research," Hochman said.

Some healthcare industry stakeholders also believe it's had a chilling effect on the number of international medical graduates applying to enter physician residency programs.

Last year, the number of international medical graduates who applied to be matched into a residency program dropped 3% to 7,067 students. That number has fluctuated in the past, but the timing of the most recent decline raises eyebrows, especially since it comes after the proposed travel ban and several other policy changes. They include ending DACA, a program that gave immigrants a

chance to live and work in the U.S. without threat of deportation if they were brought here illegally by their parents as children.

National distribution of doctors from countries affected by travel ban

A look at which states have the highest concentration of the more than 7,800 doctors who originate from the seven countries currently included on the Trump administration travel ban list Source: Immigrant Doctors Project

Approximately 7,800 doctors working in the U.S. come from the countries on Trump's executive order. They provide up to 15.6 million appointments a year, according to the latest figures from the Immigrant Doctors Project, which is run by Harvard and MIT researchers.

Other proposed policy changes potentially affecting healthcare staffing include limiting the number of work visas issued each year; limiting citizenship opportunities related to family-based immigration, which critics call "chain migration"; and revoking temporary protected status for migrants in the wake of humanitarian disasters.

Many providers believe that these policy changes could cause the U.S. to lose its competitive edge in attracting talent to an industry that's already facing major workforce shortages. Even before the travel ban controversy arose, the Association of American Medical Colleges had projected the total physician shortage could grow to as many as 94,700 doctors by 2025.

"A lot of people who come to my office say they feel that they are not welcomed here, and that they are from the wrong country or the wrong religion," said Carl Shusterman, a former trial attorney for the U.S. Immigration and Naturalization Service and now an immigration attorney who helps healthcare recruiting firm Merritt Hawkins procure work visas for international medical graduates. "I think people are going to more-welcoming countries."

Shusterman is also concerned about the federal government's recent proposed limits on the number of work visas that are issued every year to highly specialized professions.

Foreign physicians obtain work visas primarily through either the U.S. State Department's H-1B Temporary Visitor or J-1 Exchange Visitor programs in order to participate in their medical residency training. Both permit foreign healthcare professionals to work in the country and then return to the U.S. after going back to their home country for two years. Many doctors on a J-1 visa get a waiver that allows them to forgo the two-year requirement and remain in the country to work in a medically underserved area.

An estimated 75% remain in the U.S. after completing their residencies, according to a 2016 report conducted by George Mason University's Institute for Immigration Research and nearly 80% of international medical graduates are involved in direct patient care during their training.

In 2016, about 10,500 physicians received an H-1B visa, according to a 2017 study in JAMA.

But the Trump administration has increased scrutiny of H-1B visa holders, which Shusterman and others believe has partly contributed to a two-year decline

in H-1B applications. In the past year they fell 4.5%, from 199,000 to 190,098.

Some believe the increased difficulty in procuring a visa has likely caused some prospective medical graduates to seek job opportunities in other countries such as Canada, the United Kingdom, Ireland and Australia, all of which had a share of foreign-trained physicians that was comparable to or higher than the U.S. in 2015, according to the most recent figures from the Organisation for Economic Co-Operation and Development.

"I think that's a real risk, especially if things get more restrictive than they have already been," said Leon Rodriguez, a partner at the law firm of Seyfarth Shaw in Washington D.C., and former director of the Department of Homeland Security's U.S. Citizenship and Immigration Services.

That could mean not only fewer staffers, but also obstacles to meeting the needs of an increasingly diverse patient population.

For example, AAMC Executive Vice President Dr. Atul Grover said that in communities with patients of Somali, Afghani or Syrian descent, "it may make the most sense to recruit physicians who are both culturally sensitive for patients but also culturally aligned so that their non-Syrian and non-Somali colleagues can also have the benefit of learning what's culturally appropriate. This may affect patients in a number of different ways."

At Providence St. Joseph, based in Washington state, that kind of diversity could make a difference. Roughly 1 in 7 residents in the state is an immigrant, while 1 in 8 residents is a native-born U.S. citizen with at least one immigrant parent, according to the Census Bureau.

While only eight Providence staffers were affected by the end of the DACA program, about 800,000 people throughout the country are in danger being deported.

It is unclear how many DACA participants are in the healthcare field. But in a letter sent to lawmakers in September, American Medical Association CEO Dr. James Madara said that in 2016, 108 students with DACA status applied to medical school. He estimated that the program could introduce as many as 5,400 previously ineligible physicians into the U.S. healthcare system over the next few decades.

The letter also predicted that rural and underserved areas might be most affected since most DACA doctors are likely to work in high-need areas.

The home health industry could also be particularly hard-hit since the number of immigrant healthcare workers in

that field has risen from 520,000 in 2005 to 1 million in 2015, according to a 2017 report by PHI

, a national research and consulting organization based in New York. That report found immigrants made up 25% of all home health workers in the country.

The demand for skilled-nursing care will only increase as the estimated number of Americans age 65 and older is expected to double to more than 83 million by 2050. Home healthcare has become an increasingly successful strategy for redirecting patients out of costly hospital and nursing home visits for less serious issues.

In fact, between 2016 and 2026, home health employment is expected to rise by nearly 500,000 jobs, according to a February article in Health Affairs.

Supporters of the Trump administration's policies say any jobs rejected by foreign workers should go to qualified, U.S.-born candidates.

"When you depend on an outside source for needed workers, it discourages the training institutions from expanding their capacity to train new healthcare professionals," said Ira Mehlman, media director for the Federation for American Immigration Reform, a D.C.-based organization that seeks to reduce both legal and illegal immigration.

"There has to be some effort on the part of these institutions to say if we're going to need a million new doctors in the next 10 years then maybe we should start training people here in this country," he said.

The AAMC's Grover says these efforts have been underway since 2006. He expects a 30% increase in the number of students enrolled in allopathic physician programs by year-end compared with 2002, and a 170% increase in the number of students enrolled in osteopathic programs during the same period.

"To say that we just need to expand domestic enrollment of U.S. physicians—we've done that," Grover said. "But we need to be expanding our training to a point where we're training all those new grads plus a couple of thousand extra that right now need to come from foreign countries. We want to bring in the best and brightest from all over the world because that helps us with our own advancement of healthcare."

Immigrant Rights Organization Moves To D.C. The Same Day Trump Calls Some Immigrants "Animals"

By Theresa Vargas

Washington Post, May 18, 2018

New offices open and close all the time in Washington.

Usually it happens in subtle shifts, maybe a nameplate is removed and another added. Only when companies the size of Amazon.com or Apple speculate on coming to the

area, carrying with them the promise of massive job opportunities and traffic headaches, do we notice (and then we usually beg and balk).

But this week a new tenant moved into the District, and it should make us pause.

Hours after President Trump hosted a California roundtable about immigration, where he focused on criminals and "animals" who had entered the country illegally, a ribbon-cutting ceremony took place about two blocks from the White House in a building on 15th Street.

At that moment, with a symbolic slice of a crimson ribbon, the largest immigrant rights organization in California claimed a space in the nation's capital.

For more than three decades, the Coalition for Humane Immigrant Rights has stayed on its own coast. By opening a D.C. office now, the organization is sending an important and unmistakable message: The stakes in Washington are too high to only fight from afar.

This in-your-face stance comes in the same week The Washington Post revealed that the government is considering housing immigrant children on military bases, a sign it is moving forward with plans to split families who enter the country illegally.

"Opening up an office is more than opening up a door," Rep. Jimmy Gomez (D-Calif.) said to the dozens gathered for the ribbon-cutting ceremony. "It's putting a stake in the ground in Washington, D.C., our nation's capital, that says, 'We're here and we're not going away.' "

He called California "home to the resistance."

Just a few hours earlier at the roundtable, Trump offered a different description for the sock-shaped state. He describes it as the site of "a revolution." Residents there, he said, "want safety."

The president and others at the table spent most of the discussion addressing horrific crimes committed by undocumented immigrants. They spoke of gang members, rapists and murderers. If a person had never met an immigrant before and had only heard what was discussed at that meeting, they could be excused for adding locks to their doors and clutching their children closer.

"They're releasing these criminals, not by their houses," San Jacinto Mayor Crystal Ruiz said. "They're releasing them by our houses. Our children are at risk. My community is my family. You're putting my family at risk."

Trump's comment about "animals" came in response to a concern Fresno County Sheriff Margaret Mims expressed about the difficulty in reporting suspected MS-13 gang members to U.S. Customs and Immigration Enforcement.

"We have people coming into the country — or trying to come in, we're stopping a lot of them — but we're taking people out of the country, you wouldn't believe how bad these people are," the president said. "These aren't people. These are animals."

A five-minute walk from the White House, on the third floor of a building that requires guests to sign in, there were no signs of animals. Or murderers. Or, to borrow an earlier Trump term, "bad hombres."

There were men in suits and women in pencil skirts. There were hors d'oeuvres.

This was the picture of immigration left out of the roundtable discussion. Many of the people who came to the Coalition event were immigrants or the children of immigrants who entered the country without proper documentation and had dedicated years of their lives to helping others. There was a day laborer who had organized men like him. There was the son of a garment worker who worked with young immigrants.

There was Luis Perez.

The 37-year-old holds a law degree and serves as the organization's director of legal services.

He was 9 when he and his parents crossed the border from Mexico. He is well aware that children making that same journey today could face the possibility of being torn from their parents, and he said as a father, he can't help but think of his 3-year-old daughter.

"Not only are you separating families, but you're also criminalizing parents," he said. In 2007, just before Perez was accepted as the first undocumented immigrant into UCLA's law school, he opened his mail to find a deportation order. For 11 years, he fought that order.

This past February, he finally became eligible for a green card.

Now that the Coalition has an office in Washington, Perez said, it will be able to hold lawmakers accountable and allow immigrants to be more visible.

"There's a tendency to think when things get really bad we need to go into hiding," he said. "But that's the time to step up and be on the front lines. We can't go back into the shadows. We need to fight."

There is no easy answer to immigration reform, which is desperately needed in our country. But, at minimum, the public deserves to see the full picture of who will be affected by the decisions the government makes.

It is easy to kick an animal out of your house.

It is harder to do that when it's a person in a suit, or a maid's smock, or a military uniform.

'Dreamers' Plan 'Community Organizing,' 'Social Justice' Summer Camps

By Penny Starr

Breitbart, May 19, 2018

The United States Congress has sidelined legislation to give amnesty to as many as 3.6 illegal aliens after the courts put President Donald Trump's end to Deferred Action for Childhood Arrivals (DACA) on hold, but the so-called

"Dreamers" are busy putting their "here to stay" tagline into action.

United We Dream (UWD), "the largest immigrant youth-led network in the country," is planning "community organizing" and "social justice" summer workshops in Texas, New Mexico, Florida, Virginia, Maryland, and Washington, DC.

"United We Dream and our local branches are fully committed to create the next generation of leaders," the website states. "Over the summer we are launching a unique initiative that will commemorate those who came and fought for social change and justice before us."

CALIFORNIA!!! Do you want to make a change in your hometown? Make sure to sign up for our Summer Of Dreams running from June 15-August 11!

Find more info in the link! #HereToStay
<https://t.co/iJve0Bpjxz>

— United We Dream (@UNITEDWEDREAM) May 19, 2018

"These summer programs will serve as a tool to expose youth to the different ways of community organization, activism, to own power and bring positive and systematic change to their community," the website states.

The website describes the "Summer of Dreams" curriculum this way:

Students will gain knowledge on the history of social justice movement such as immigration, LGBTQ, women, and indigenous rights to better understand the political and social moment we are in.

Students will learn from experienced and local organizers on how grass-roots organizing plays an important role in society. They will gain knowledge on organizing philosophy, campaign training, story of self, and critical thinking skills through a racial justice and intersectionality framework.

The illegal alien-run organization also is advising other illegal aliens how to renew their DACA temporary legal status while calling for caution when providing information to the federal government.

"The White House, the Courts, or Congress could have opportunities to close them at some point in the future," the website states. "There is also uncertainty about what Trump's administration would do with the information submitted to USCIS when renewing DACA."

"This blog is for you to use as a tool to keep yourself informed and to help you make your own decision on renewing your DACA," the website states.

3; DACA UPDATE 3;

This is everything you should know about the DACA ruling yesterday! Stay tuned for any updates!

For FAQs about DACA renewals:
<https://t.co/6cUiqShL9N> [pic.twitter.com/eeHoiZnFhJ](https://t.co/6cUiqShL9N)

— United We Dream (@UNITEDWEDREAM) April 25, 2018

The website also explains that while those who already have DACA status can renew, no new applicants are being accepted under the current court order.

And the website is still promoting "The first app to prepare you and your family against deportation," unveiled last year.

The Notifica app lets individuals "get in touch quickly with the people you trust most if you're about to have an interaction with Immigration or other law enforcement."

"Each person in your network can receive a different message if you choose," the website states. "Make sure to include the relevant information for that person and how they can help you."

The "Vision" section of the UWD website says, in part:

We envision a society based on human dignity that celebrates all of our communities. We understand that, in order to achieve this vision, how we do our work must be reflective of the kind of society we aim to create: multi-ethnic, interdependent, intersectional and inter-generational, all connected and reliant upon one another to achieve the highest standards for our collective humanity and liberation.

We embrace the common struggle all people of color and stand against racism, colonialism, and xenophobia. We stand against sexism, misogyny and male-centered leadership while uplifting womxn [sic] leaders and the leadership of LGBTQ people.

The liberal Immigration Law Center was the "fiscal sponsor" for UWD from 2008 until 2013, when it became a non-profit 501 (C)(3).

The New York Times reported that in 2013 Ford gave \$2.3 million to UWD.

Follow Penny Starr on Twitter

Border Patrol Memoir Ignites Dispute: Whose Voices Should Be Heard From The Frontier?

By Simon Romero

New York Times, May 19, 2018

The writer Francisco Cantú, who spent years as a Border Patrol agent, braced for the fury of anti-immigration figures and his former colleagues when he published a haunting memoir this year delving into the authorities' frequent abuse of immigrants in the Southwest borderlands.

But when such reactions were muted, Mr. Cantú wasn't prepared for the onslaught of criticism he received from the other end of the political spectrum, including undocumented writers and artists around the United States who view the Border Patrol as a paramilitary force inciting fear and destroying families.

Some called Mr. Cantú, 32, a third-generation Mexican-American, a "Nazi" and "traitor" for joining the Border Patrol in

the first place. Others appeared at readings of his book in California and Texas, drowning out the events by screaming "vendido" — sellout — in his direction. Critics suggested boycotting Mr. Cantú's book, "The Line Becomes a River," branding him a quisling who profits in others' blood.

"I don't see why Cantú gets to be absolved and celebrated by saying he paid witness to the tragedy he was complicit in upholding," said Jesús Valles, 31, a playwright and public high school teacher in Austin, Tex., who was among those protesting when Mr. Cantú recently traveled to Texas for book signings.

"It's hard to even explain the fear that the Border Patrol instills in people like me," added Mr. Valles, who was smuggled into Texas as a child before obtaining, years later, legal authorization to remain in the country. "It's a dread of being hunted down like an animal, of seeing your siblings deported. And Cantú gets a fancy book deal after being one of the guys holding the guns."

The simmering tension around Mr. Cantú and his book is igniting an energetic debate over who gets rewarded for telling stories of life along the border, highlighting quarrels between Latinos born in the United States and those who were brought illegally to the country as children as President Trump's polarizing border wall starts to take shape in the Chihuahuan Desert.

In a twist to the wrangling over his book, Mr. Cantú has caught some of his most strident critics off guard by thanking them and siding with them. In public appearances, he has asked that protesters be allowed to speak derisively of him and his book. And in an interview here in Tucson, where he lives, Mr. Cantú said he agreed with some of the charges leveled against him.

"My aim was to describe the Border Patrol from within, not justify it somehow," Mr. Cantú said over a meal at El Chivo de Oro, a food truck specializing in dishes like \$1 tacos de cabeza, made from the roasted head of a cow, and birria (goat stew).

His book recounts incidents of Border Patrol agents — with Mr. Cantú among them, though usually, he said, only watching — slashing the water bottles migrants rely upon to survive, decorating cactuses with women's underwear and setting chain-fruit cholla ablaze under the night sky.

"You're encountering people who are completely terrified of you as law enforcement," he said, reflecting on the experiences of finding lost, dehydrated men and women staggering through vast mesquite thickets.

Mr. Cantú transitioned from patrolling in the field to intelligence gathering, agonizing over what it meant to be good at such work. He describes in the book the dehumanizing language colleagues used to describe immigrants, as when a superior divided border crossers into "scumbags" and "P.O.W.s" — plain old wets.

Reflecting on his exposure to the culture of the Border Patrol, Mr. Cantú emphasized that destroying water supplies was never something he did himself. He said he had felt that there was no way to effectively speak out against the racist language that remains pervasive in the institution, though he did so in more intimate conversations he had with agents with whom he was close, or who were junior to him.

"I felt that my individual actions were eclipsed by the grinding machinery of the system and culture of which I was part," he said.

Mr. Cantú was far from alone in grappling with such dilemmas in the Border Patrol: More than half of its agents now are Latinos, as the agency has emerged as a source of economic opportunity in impoverished stretches of the Southwest.

Some agents grew up on both sides of the frontier, or still have family in Mexico, or have romantic relationships that somehow disregard the hazy line drawn along the Rio Grande. Many of Mr. Cantú's fellow recruits were veterans of the wars in Afghanistan and Iraq, a reflection of the increasing militarization of the borderlands.

Mr. Cantú said in the meandering interview that writing an account of a Latino who hunted down other Latinos for a living wasn't what he had in mind when he joined the Border Patrol at age 23 as a graduate of American University. He said he had expected to do the job for a few years to gain on-the-ground experience before going into diplomacy or law school, hoping to specialize in immigration issues.

Javier Zamora, 28, a poet who emigrated without authorization from El Salvador to the United States at the age of 9, said he understood where some of the critics of Mr. Cantú were coming from, especially those who point out that the perspective of Mr. Cantú, a United States citizen, stands in contrast to those of millions of Latinos at risk of deportation in the country.

"The book resembles veteran writing and the dilemma that poses: Would you rather read a book by an Iraqi or something by an Iraq war veteran?" asked Mr. Zamora, author of the acclaimed 2017 poetry collection "Unaccompanied." "I go for the Iraqi writer."

Still, Mr. Zamora, who now lives in California and is at risk of being forced to leave the United States after the Trump administration reversed policies that had allowed nearly 200,000 Salvadorans to live in the country, said he appreciated much of Mr. Cantú's book, especially passages where he writes about the mental toll of his work, describing nightmares and grinding his teeth at night.

"It's that internal space of the mind that he describes that I think is valuable," said Mr. Zamora. "I find it hard to read nonfiction about the border because of the trauma it brings back, but this book isn't quite like that. It shows how the border is anything but black and white, but just very, very gray."

Still, other writers, including some who spent much of their lives in fear of immigration agents, are less charitable in their assessments of Mr. Cantú and his book.

"Cantú is a white-passing man who has never been undocumented," said Sonia Guiñansaca, 29, a poet brought to New York at age 5 from Ecuador to join her parents. She spent more than two decades living illegally in the United States before obtaining documents allowing her to remain in the country.

"It saddens me that he's benefiting from our stories when I have a phone book full of phenomenal migrant writers and artists who never get the same chance," said Ms. Guiñansaca, who nevertheless added that excerpts from the book she had read were "beautifully written for what it was."

Mr. Cantú, who is of mixed Hispanic and Anglo ancestry, said he was grateful for such criticism. He said that some of the most compelling writing about the border was being done by poets, citing Vanessa Angélica Villareal, from the Rio Grande Valley in Texas, and Sara Uribe, who lives in northern Mexico.

Still, an overriding influence for Mr. Cantú was his own mother, a former park ranger in the Guadalupe Mountains near El Paso. She tried to dissuade him from joining the Border Patrol, and when that didn't work, she questioned her son about the cruelty of agents who allow migrants to die in the desert.

"She was concerned for the health of my soul," Mr. Cantú said.

Mr. Valles, the playwright in Texas who protested against Mr. Cantú, said it would be too easy to let the writer off the hook for youthful naïveté or not listening to his mother.

"People are going to read his book; maybe they're going to cry in the process," Mr. Valles continued. "And by reading it, they'll feel like they've helped someone, but they get to close the book and move on. We can't close the book on the nightmare that the border has become. We can't close the book on our lives."

With that point, Mr. Cantú would not disagree.

He concluded, he said, by realizing that his belief that he could be a force for good within the agency was naïve, overwhelmed as they all were by the complexity of immigration policies along the border. Writing, he decided, allowed him to convey "the simultaneous beauty and joy and horror of living here and loving this place."

Between Death And Deportation

By Dan Gorenstein

[Washington Post](#), May 18, 2018

"Dear the most highly respected judge and court, I'm writing this because I love my mom. My mom is very important to me. I have no idea what to do without her. Even though my mom's afraid, she's not giving up."

This is the beginning of a plea written by a 13-year-old girl to the Department of Homeland Security. The goal: to get her mother the insurance coverage she would need to enter a clinical trial.

Two years ago, the girl's mother learned she had advanced stomach cancer. Undocumented and uninsured, the mother received free treatment at Bellevue Hospital in Manhattan through New York's emergency Medicaid program, which undoubtedly prolonged her life.

Then, last fall, her doctor identified her as a good candidate for a medicine that has been remarkably effective for some lung cancers. Would it work for her disease? The researchers were eager for patients like J. to help them answer that question. (Kaiser Health News is identifying the patient by her first initial only, because of the threat of deportation.)

"You look at these clinical trials — there are some patients who just forget to die," said Dr. Steve Lee, J.'s oncologist. "She could be one of these long-term survivors."

But it would not be a simple process for J. to enter a clinical trial. She emigrated from China 18 years ago on a visa that had long since expired. Her husband's visa also expired years ago. The Queens couple have three children who are U.S. citizens, ages 13, 12 and 4.

To be accepted into the trial, J. needed the more complete coverage traditional Medicaid offers. And to get that meant declaring herself to Homeland Security and asking the agency not to act on its standing deportation order against her. That would call attention to herself and her status — and provide the agency with her address and the names of everyone she lived with.

"Before getting sick, legal status was clearly important," J. said through a translator. "Now, both legal immigration status and my ability to continue to live are intertwined, because I can only get good treatment if I obtain legal status."

The family faced this dilemma under President Donald Trump's growing threat of deportations. Federal figures show arrests of undocumented people living in the U.S. were up 40 percent in the first four months of 2017 compared with the same period in 2016. The administration also is considering a change that would penalize legal immigrants if they use public benefits like Medicaid.

Up to the point of the clinical trial, J. got care very similar to what anyone with private insurance might get. And that is a function of residence. Each state covers care for undocumented immigrants through its emergency Medicaid program differently, and New York has one of the most generous programs in the country.

"In some states, they say giving you dialysis is keeping you from dying. We are going to put you on emergency Medicaid," said Steven Wallace, a health professor at UCLA, who has studied immigrant health care in the U.S. "In other

states — Georgia comes to mind — they will not put you on emergency Medicaid until you are in diabetic shock."

By the time J. learned of the drug trial, she'd had chemotherapy and separate surgeries to have her ovaries and part of her stomach removed. As comprehensive as New York's emergency Medicaid program is, it does not cover the costs associated with drug trials, even in dire situations.

For context, some estimates suggest that stomach cancer treatment for one year costs about \$100,000. Costs vary by hospital, and Medicaid pays hospitals less.

Bellevue did not provide a tally of J.'s medical bills. The limited research available on care for very sick, undocumented immigrants shows that the treatment can vary even by county within a state. More often than not, Wallace said, when beset by a life-threatening illness such as stomach cancer, undocumented women and men miss out on the tests, procedures and drugs that could extend their lives.

By virtue of living in New York, J. did receive good care. But was the chance at the drug trial worth the risk of her or her husband being deported?

For most of an interview with a reporter, J. spoke Mandarin through a translator because of her limited English skills. But when asked whether she was more afraid to die or be deported, she answered directly, in English.

"Yeah, I [am] afraid to die, more than be deported," J. said. "Of course. Because my family need[s] me. My children need me."

Domna Antoniadis, a senior staff attorney at the New York Legal Assistance Group, works just across the hall from Dr. Lee at Bellevue. Her job is to help patients jump through bureaucratic hoops to get health coverage, and she said J. had a compelling case.

"She's been here for almost 20 years. She has three young U.S. citizen children. She's never been arrested; no criminal history. She's worked. And right now, she has a very aggressive form of cancer," Antoniadis said. "She's saying, 'Here I am. This is what's going on with me, but please don't remove me.'"

J.'s husband said his wife did everything she could to battle her disease, including changing her diet, walking up hills for exercise and following doctor's orders. The decision on the drug trial was clear, he said.

"Life is more important than anything else. You have to face the cancer," he said, speaking through a translator. "You have to face the pressures. You just have to do whatever it takes so that you can keep on living."

J. submitted the application, and Antoniadis advised the family to be cautious. She told them if federal agents show up at the house, before opening the door the family should make sure the officials have a warrant. Her attorney gave J. a guide outlining her rights in Mandarin.

Over the fall, J.'s husband said the family felt vulnerable.

"We watch the news," he said. "We see the things Donald Trump says, and we see that he's been tough on immigration and has tried to make a lot of changes. So, for sure, we're more worried."

As they waited to hear from Homeland Security, a kind of balled-up fear settled over the family. J. talked less. Their 13-year-old daughter took over doing the dinner dishes. Their 12-year-old son set the table and played fewer video games, trying to make his mom happy. Their kid sister, age 4, asked why everything was different.

Before Homeland Security could respond, J. got word from New York's traditional Medicaid program that she was accepted. The application to delay deportation was enough for the state to open the program to J. She had her first drug trial treatment last December. She tried to savor life.

"Now I'm not nearly as strict with my kids. I sort of just let them be kids. Before, I'd give them extra homework on top of what's assigned at school. Now, I just want them to be happy," she said. "Between my husband and me, we care a lot less about money. Before, we only go out to dinner once a month. Now we treasure every moment we have."

Almost as soon as J. was in the drug trial, she was out. Her oncologist, Lee, said J. "had rapid growth of her cancer" and couldn't remain in the trial. By early January, J. had started hospice. Her husband said it was a very difficult month for her, and on Feb. 6, J. died.

Asked if he thought the trial was worth all the risk and stress it caused the family, Lee said: "I think it's easier to say that going on the drug trial was a waste of time, in retrospect. But the alternative for cancer like this is that she would invariably die. So I think that the opportunity to give her a shot at long-term survival was one worth putting a lot on the line for."

Lee said what the trial really gave J., and her family — for a time at least — was hope.

Dan Gorenstein is the health care reporter for Marketplace. This story was produced in partnership with WHYY's The Pulse and Kaiser Health News.

DACA Illustrates Root Of Congressional Dysfunction

By Ryan Clancy, Opinion Contributor —
The Hill, May 18, 2018

Need evidence that Washington is out of step with the American mainstream? Look no further than the fate of the so-called "DACA kids," law-abiding adults who were brought to the U.S. as children. A CBS News poll found this year that 87 percent of Americans want the DACA (Deferred Action for Childhood Arrivals) kids to be allowed to stay in our country. President Trump recently said last year that he "love[s] these

kids." And a legislative deal was recently on the table to pair a reprieve with strengthened border security. But Congress can't find a way to get the job done, and so the kids remain in limbo.

What's going on here?

To unpack the mystery, you have to look first at the power dynamics on Capitol Hill. Most of us assume that Congress works the same way democracy works writ large—that majority rules. But hidden behind a series of arcane rules is a darker reality: Extremists on the far left and far right have managed to manipulate the current procedures to take the policymaking process hostage. And that means even when a majority of Americans support a specific policy change—indeed, even when a broad majority of members of Congress support the same change—Washington gets stuck. That's exactly what's happening with DACA.

Here are the basics. The Speaker of the House, a role currently filled by Rep. Paul Ryan (R-Wis.), controls the agenda on the House floor. As such, the only ideas that the House considers are the ideas he has pre-approved. But despite the fact that lots of Republicans and most every Democrat supports a DACA fix, Speaker Ryan is choosing not to bring it up to for a vote. His reluctance has sparked frustration among those who want to give the affected kids a reprieve.

Normally, members of a Speaker's own party don't challenge his authority in public. But in an act of political bravery, Rep. Carlos Curbelo (R-Fla.), has filed a "discharge petition" with the aim of compelling Ryan to bring immigration reform up for a vote. Curbelo's petition doesn't specify exactly how the DACA program would be fixed—it just requires that various immigration proposals before the House be considered on the floor, giving representatives an opportunity to vote on all of them. The one that wins the most support, the so-called "queen of the hill," would then prevail.

The bipartisan Problem Solvers Caucus—a bloc of 48 members evenly divided between Democrats and Republicans of which Curbelo is a member—called for just this sort of debate procedure months ago. Discharge petitions are filed only rarely as they open up the petition signers to significant political retribution from their party leadership. In this case, it appears some Republicans are more willing to cross a Speaker who will be retiring at the end of the year.

But this is yet another reminder that the current rules in Congress don't work anymore. It's too easy for important legislation to get bottled up for no good reason. Far from empowering the Speaker to wield excessive power, the legislative process should promote the will of the majority. Power should flow to dealmakers, insulating them from extremists at both ends of the political spectrum. In other words, Problem Solvers like Curbelo shouldn't need to jump through so many hoops to unbottle a good bill. We need to make a change.

Here's a way to begin: Make it easier for discharge petitions to force the Speaker's hand by lowering the threshold of members required to get a bill onto the floor—from a majority of members to a share more like 40 percent. Help the next speaker, when he or she is faced with a similar dilemma, to do what the American people want Washington to do—namely, solve problems. Make it easier for bipartisan groups of legislators to bring their ideas to the fore even if the House leadership is too frightened to call the bills up on their own.

Lowering the threshold for discharge petitions is just one way to make Congress more accountable to the American people. But it's a crucial start. No Labels has been working for months to build a reform agenda that can bring our democracy back into line, and more ideas will be released in the coming months. Together, we will point the way to a new beginning. Washington has not always been so out-of-step—and it need not be. But to return Congress to the American people, the rules will need to change.

Ryan Clancy is Senior strategist for No labels.

Ripping Children From Parents Will Shatter America's Soul

By Viet Thanh Nguyen

[Washington Post](#), May 18, 2018

Viet Thanh Nguyen is the author of "The Sympathizer," which won the 2016 Pulitzer Prize for Fiction, and the short story collection "The Refugees."

When I was 4 years old, I was taken away from my parents. We were refugees from Vietnam, fleeing the end of the war in 1975. With 130,000 other Vietnamese, we were put into refugee camps. To leave, we needed American sponsors, but no sponsor was willing to host my entire family. One took my parents, one took my 10-year-old brother and one took me. Memory for me begins here, howling with fear and pain as I was taken from my mother, too young to understand that I would be returned to her in a few months.

I thought of this experience when I read the words earlier this month of Attorney General Jeff Sessions regarding his intent to separate children from undocumented parents at the border — possibly even sending those children to detention camps on military bases. "If you are smuggling a child then we will prosecute you, and that child will be separated from you as required by law," he said. "If you don't like that, then don't smuggle children over our border."

Sessions is a law-and-order man who believes he is protecting our country. I'm a man, a son, a father and a writer who worries about our nation losing its soul.

The intent of this policy is punitive. In practice, it will undoubtedly lead to shattered families. As Democratic Texas Senate candidate Beto O'Rourke says, "You are either for

separating children from their parents or you are against it. I am against it." Me too.

The controversy over this policy should not be reduced to a partisan issue, or even to a debate about undocumented immigration. Sessions's child-removal policy actually extends the callousness of current American penal practices. As Homeland Security Secretary Kirstjen Nielsen said, "That's no different than what we do every day in every part of the United States — when an adult of a family commits a crime. . . . If you as a parent break into a house, you will be incarcerated by police and thereby separated from your family."

Nielsen inadvertently points to how removing children from their parents has been a longtime bipartisan practice of American society. Democrats and liberals who condemn contemporary Republican policy might want to consider how the Clinton and Obama administrations also sanctioned the removal of children from parents, both undocumented immigrants and those in prison for other crimes.

The war on drugs, tough-on-crime sentencing and mandatory minimum sentencing — all of which featured prominently in the Clinton administration — have led to rates of mass incarceration in the United States that are almost unrivaled worldwide. More than 2.3 million Americans are in some type of correctional facility. If they have children, they have been separated from them, and the chances of them losing their children to the state are high. More than 5 million children in the United States have had a parent in jail, and the impact is disproportionately high for black and Latino children.

As a nation, we have had little significant debate on the morality or efficacy of such policies. Perhaps this is because the removal of children from parents is not new in U.S. history. Indigenous children were sent alone to Indian schools to become assimilated into American society, and slaveowners separated slave children from slave parents to sell either, or both.

Comparing them to undocumented families today may anger many contemporary Americans. Like Sessions and Nielsen, they would argue that undocumented immigrants have broken the law, and that the law allows these removals.

It was legal for slaveowners to sell slave children, too. But was the practice just? Was it humane?

Hiding behind the law is so persuasive that it can lead those who have benefited from humane policies to endorse inhumane ones. Take some of my fellow Vietnamese immigrants, for example — such as Tri Ta, mayor of Westminster, Calif., which has more Vietnamese Americans per capita than any other U.S. city. Mayor Ta, along with the city's Vietnamese American vice mayor, Tyler Diep, voted for a successful Westminster resolution against California's sanctuary state stance, which protects undocumented immigrants.

"The Vietnamese boat people came to the United States legally," Ta said. "My family and I went through the process."

Vietnamese people came to this country not only because it was legal but because it was humane. Congress decided that the United States owed a moral debt to the South Vietnamese, who had fought a war that was largely driven by U.S. interests. Would Ta be so willing to endorse legality if the United States had not welcomed the Vietnamese?

My removal from my parents was a benevolent act that led me to being housed for several months by a generous American family. And yet being separated from my parents hurt enough for me to remember it vividly more than 40 years later. I can easily imagine the kind of damage a prolonged removal, under much more adverse circumstances, would do to a child. Or to a parent, since I am now the father of a 4-year-old myself. I say I can imagine it, but the pain of losing my son is actually unimaginable.

I wonder whether whoever decided to take me from my mother considered her pain. Maybe they only saw her alienness and her lack of education, which happened because she was born poor and a girl. Perhaps they never saw that in Vietnam she had been a successful businesswoman. But even if she hadn't, what difference should that have made? Are people who are less successful not human or deserving of the right to hold on to their children? Our answer to that question says everything about us.

New Trump Immigration Policy That Separates Families Is Cruel And Could Make A Bad Situation Worse For Kids

By Dallas Morning News Editorial Connect With Dallas Morning News Editorial Email

Dallas Morning News, May 18, 2018

Here's a frightening reality: Thousands of vulnerable kids may be headed to Texas, which is already overwhelmed with problems in its own child-welfare system.

The Trump administration is scouting three military bases in Texas as possible shelters for migrant children in its new get-tough plan to separate them from parents who'll be prosecuted for illegally crossing the Mexican border.

We understand that the crackdown — under which even first-time offenders face separation — is intended to discourage others from trying to come here illegally. But separating families seems particularly draconian and inhumane.

3 Texas military bases may house children separated from parents under Trump's border crackdown

To make matters worse, unattached children without a strong supportive network are easy targets for sex traffickers

who prey on these kids. With an estimated 79,000 minors and young people ensnared in this illicit trade in hotspot Texas alone, the border crackdown has the potential to leave more young people vulnerable to trafficking.

The federal government has held children in a network of 100 shelters nationwide. But with the new crackdown — and those shelters already approaching capacity — the feds are evaluating bases in El Paso, San Angelo and Abilene for additional space. The three locations would be used to hold minors under age 18 who arrive at the border without an adult as well as children who cross with their parents.

Texas already is struggling to fix a broken system that's supposed to protect children in its care. While the federal government is responsible for the welfare of the kids picked up in illegal border crossings, holes in that system could put more vulnerable children on Texas streets.

Border-crossing children spend an average of 45 days in the government's care until an adult relative is able to assume custody. Of the 38,000 arrests made by the Border Patrol along the Mexican border last month, 9,600 of them were classified as family units and about 4,300 were children traveling alone or unaccompanied minors.

We know that children are taken away from people who commit crimes every day, but this new policy's punishment doesn't fit the offense. There's a big difference between committing a robbery with your kids in the back seat and illegally crossing the border with your children in tow in order to seek a better life than the one you fled.

Our newspaper has long urged Congress to provide comprehensive immigration reform for the 11 million unauthorized immigrants in the U.S., nearly 2 million of whom are in Texas. It's particularly important to our state as immigrants contribute mightily to our economy.

We've pushed for a path to legalization that will bring immigrants out of the shadows. We've also agreed that if we help unauthorized immigrants but fail to better control illegal entry into the country, we may only encourage more illegal entry.

But ripping children away from their parents is a bridge too far, and we could be putting them further in harm's way. It's disturbing that once again children are caught in the middle of this complicated mess.

Congress has been giving lip service to a fix for years. It's time lawmakers did their jobs.

IMMIGRATION ENFORCEMENT

A Border Patrol Agent Detained Two U.S. Citizens At A Gas Station After Hearing Them Speak Spanish

By Amy B Wang

Washington Post, May 20, 2018

A Montana woman said she plans to take legal action after a Border Patrol agent detained and questioned her and a friend — both U.S. citizens — when he overheard them speaking Spanish at a gas station.

The incident occurred early Wednesday morning at a convenience store in Havre, Mont., a town in the northern part of the state, near the border with Canada.

Ana Suda said she and her friend, Mimi Hernandez, were making a midnight run to the store to pick up eggs and milk. Both are Mexican American and speak fluent Spanish, and they had exchanged some words in Spanish while waiting in line to pay when a uniformed Border Patrol agent interrupted them, Suda said.

"We were just talking, and then I was going to pay," Suda told The Washington Post. "I looked up [and saw the agent], and then after that, he just requested my ID. I looked at him like, 'Are you serious?' He's like, 'Yeah, very serious.'"

Suda said she felt uncomfortable and began recording the encounter with her cellphone after they had moved into the parking lot. In the video Suda recorded, she asks the agent why he is detaining them, and he says it is specifically because he heard them speaking Spanish.

"Ma'am, the reason I asked you for your ID is because I came in here, and I saw that you guys are speaking Spanish, which is very unheard of up here," the agent can be heard saying in the video.

Suda asks whether they are being racially profiled; the agent says no.

"It has nothing to do with that," the agent tells her. "It's the fact that it has to do with you guys speaking Spanish in the store, in a state where it's predominantly English-speaking."

Suda, 37, was born in El Paso and raised across the border in Ciudad Juarez, Mexico, but has spent much of her adult life moving around the United States with her husband and young daughter. Hernandez is originally from central California, Suda said.

Despite explaining this to the agent and showing him their IDs, Suda said, he kept them in the parking lot for 35 to 40 minutes. Though no one raised their voices in the video, Suda said she and Hernandez were left shaken and upset by the encounter, which ended around 1 a.m.

"I was so embarrassed ... being outside in the gas station, and everybody's looking at you like you're doing something wrong. I don't think speaking Spanish is something criminal, you know?" Suda said. "My friend, she started crying. She didn't stop crying in the truck. And I told her, we are not doing anything wrong."

When she got home, Suda posted on Facebook about what had taken place at the gas station. She said her shock began to give way to sadness in the following days, after some local news outlets reported the incident, and her 7-

year-old daughter asked whether the video meant they should no longer speak Spanish in public.

"She speaks Spanish, and she speaks English," Suda said. "When she saw the video, she was like, 'Mom, we can't speak Spanish anymore?' I said 'No. You be proud. You are smart. You speak two languages.' This is more for her."

A representative from U.S. Customs and Border Protection told The Post the agency is reviewing the incident to ensure all appropriate policies were followed. Border Patrol agents are trained to decide to question individuals based on a variety of factors, the agency added.

"U.S. Customs and Border Protection agents and officers are committed to treating everyone with professionalism, dignity and respect while enforcing the laws of the United States," the agency said. "Although most Border Patrol work is conducted in the immediate border area, agents have broad law enforcement authorities and are not limited to a specific geography within the United States. They have the authority to question individuals, make arrests, and take and consider evidence."

Havre is a rural town with a population of about 10,000, about 35 miles south of the U.S.-Canada border. Border Patrol agents have broad authority to operate within 100 miles of any U.S. border, though they cannot initiate stops without reasonable suspicion of an immigration violation or crime.

Suda said she is used to seeing Border Patrol agents in Havre because it's so close to Canada, especially at gas stations, but had never been stopped before.

"It's a nice town. I don't think it's a confrontational [population] here," Suda said. "But now I feel like if I speak Spanish, somebody is going to say something to me. It's different after something like this because you start thinking and thinking."

Suda said she plans to contact the American Civil Liberties Union to seek legal guidance. ACLU representatives did not immediately respond to a request for comment Sunday.

"I just don't want this to happen anymore," Suda said. "I want people to know they have the right to speak whatever language they want. I think that's the most important part, to help somebody else."

ICE Arrests Of Immigrants With No Criminal Convictions Rises: Report

By John Bowden

The Hill, May 18, 2018

Immigration and Customs Enforcement (ICE) officers are increasingly picking up immigrants without legal status who do not have a record of criminal conviction, despite the Trump administration's promise to focus on those with criminal backgrounds.

ICE data released by the agency and obtained by HuffPost finds that nearly two-thirds of all such immigrants arrested by ICE agents between October 2017 and April 2018 had no criminal convictions.

That is a 21 percent rise from the same period in 2016 and 2017 and a 13 percent rise from the year prior to that. The agency noted that some of those arrested had been charged with a crime and had not yet been convicted.

ICE Assistant Enforcement Director Corey Price said during a press call that the agency's scope was "narrowed" during the Obama administration, but that ICE has since abandoned its policy of targeting just criminal aliens for deportation.

"If somebody has violated our immigration laws, they are priorities now," Price told reporters, according to the report.

While more conviction-less immigrants are being detained, the number actually being deported remains about the same. Overall, about 54 percent of deported immigrants without legal status in the first half of fiscal 2018 had criminal convictions, a figure unchanged from the year before.

Trump praised his administration's efforts for targeting immigrants affiliated with gangs such as MS-13 in remarks at the White House on Wednesday.

"You wouldn't believe how bad these people are," Trump said. "These aren't people. These are animals. And we're taking them out of the country at a level and at a rate that's never happened before."

--Updated at 9:37 a.m.

Trump's ICE Is Increasingly Arresting Immigrants Without Criminal Convictions

By Elise Foley

[Huffington Post](#), May 17, 2018

Immigration and Customs Enforcement is arresting more immigrants, and increasingly they have not been convicted of crimes, according to data released on Thursday by the agency.

About two-thirds of those arrested by ICE from October 2017 to the end of March had no criminal convictions — up from 21 percent during the same period the year before and only 13 percent the year before that. ICE officials noted that some of the arrested immigrants had been charged with a crime but not convicted.

The new figures, which reflect the first two quarters of the 2018 fiscal year, demonstrate that ICE is carrying out the crackdown on unauthorized immigrants that President Donald Trump promised. That means ICE officers are picking up more people with clean records, even if they were previously allowed to remain in the country.

"If somebody has violated our immigration laws, they are priorities now," Corey Price, the assistant director for

enforcement at ICE, told reporters on a conference call, adding that in the final years of Barack Obama's administration, the agency's "scope was significantly narrowed."

Immigrants in the U.S. without authorization or those who violate the terms of their visa are subject to deportation, regardless of whether they have a criminal record. (It is a civil violation, not a criminal one, to be in the U.S. without authorization.)

ICE arrested nearly 80,000 people from October to the end of March, compared with about 63,000 in the same period the year before. By comparison, the agency arrested about 54,000 people in the first half of the 2016 fiscal year, when Obama's priority enforcement policies and instructed agents to focus on undocumented immigrants with criminal histories.

While ICE's arrests were up, deportations were slightly down — from about 126,000 in the first half of the 2017 fiscal year to about 117,000 in the same period in fiscal year 2018. For both periods, about 54 percent of those removed were convicted criminals.

While most deportations originated with arrests by Customs and Border Patrol, ICE's share rose for the most recent period; ICE arrested 39 percent of the people deported, up 10 percentage points from the previous year.

Trump vowed as a candidate to take constraints off ICE and allow agents to have more discretion on whom to arrest. The president and his administration have taken steps to remove protections that allow more than 1 million people to stay in the U.S. — which could expose more immigrants to risk of deportation.

He typically frames his immigration comments around crime. During a meeting at the White House with leaders from California on Wednesday, after a question about MS-13, a gang started in the U.S. by Salvadoran immigrants, he praised his administration for "taking people out of the country."

"You wouldn't believe how bad these people are," Trump said. "These aren't people. These are animals. And we're taking them out of the country at a level and at a rate that's never happened before."

Download

Is 'Tonc' An Acronym Or A Derogatory Term For Migrants?

By Daniel González And Rafael Carranza, The Arizona Republic

[USA Today](#), May 20, 2018

A Border Patrol agent texted that message on Jan. 17, moments before agents, assisted by Pima County sheriff's deputies, swarmed a building in Ajo known as "the Barn" in southwestern Arizona.

The authorities arrested No More Deaths volunteer Scott Warren and two immigrants suspected of being in the country illegally, according to court papers.

The term "tonc" is not a well-known, but the text suggest the term is routinely used by Border Patrol agents. But what does "tonc" mean? Is it simply an acronym, as some say?

Or is it a derogatory slur used by Border Patrol agents to refer negatively to immigrants in the country illegally? Claims of retaliation

Warren is charged with harboring undocumented immigrants after he was arrested along with two immigrants found inside a residence known as the Barn used by the humanitarian group No More Deaths to provide humanitarian assistance.

The arrests took place hours after No More Deaths released a report accusing Border Patrol agents of destroying water jugs left by volunteers in the remote desert in southwestern Arizona. The water jugs are intended to help prevent deaths along a deadly corridor used by migrants who have entered the U.S. illegally. The timing prompted accusations by humanitarian groups that the Border Patrol arrested Warren in retaliation for the report.

Warren earned a doctorate in geography from Arizona State University, where he also works as an adjunct instructor. He wrote his dissertation on Ajo and the surrounding area and now lives in the community. Separate from his ASU job, Warren has served as the volunteer coordinator for No More Deaths' operations in Ajo for several years.

In addition to placing water jugs in the desert, Warren-led No More Death teams conduct searches for missing migrants in the Ajo area. In June 2017, The Arizona Republic documented a No More Deaths search led by Warren on the Organ Pipe Cactus National Monument as part of its Pulitzer-prize winning series exploring the untended consequences and untold stories of President Donald Trump's proposed border wall.

On Jan. 17, Border Patrol agents were conducting surveillance on the Barn when they saw Warren drive up in his car and enter the building, according to a criminal complaint. The agents then saw Warren exit while talking to two people. The two people with Warren matched descriptions given of two lost "illegal aliens," the complaint said.

After their arrest, the two migrants said they learned they could get food and water at the Barn while researching online the best ways to cross the border illegally, the complaint said. After finding their way to the Barn, the migrants said Warren met them outside and gave them food and water for three days, the complaint said.

It's unclear whether the term "tonc" — which sometimes is also spelled "tonk" — is an official acronym or a derogatory slur for undocumented immigrants.

Border Patrol agent Chris Sullivan, a spokesman for the Border Patrol's Tucson Sector, which includes Ajo, said the agency could not comment because the term is part of an ongoing court case.

However, the term has been debated unofficially on the internet for years.

According to a self-described retired Border Patrol agent who blogs anonymously under the name "Agent Nowhere Man," the term "Tonk" is an acronym that stands for "Territory of Origin Not Known."

"It is used to describe an individual who has not yet been intensively interviewed by the Border Patrol to determine his or her country of origin," a 2011 blog post says. "As everyone knows, ethnicity is not a reliable indicator of nationality. Just because a person is of obvious Latin extraction it does not necessarily follow that the person is Mexican."

In the same blog, the retired Border Patrol agent insists the term is not derogatory.

"Let me be very clear: 'Tonk' is not a term or racial derision; it is a temporary geographic description," the blogger wrote.

Another person who identified himself as a Border Patrol agent on the online forum Reddit said the term is commonly used, after a reader asked if he ever uses the word "tonk."

"It's a common term. And really it's 'tonc' and it originated from the acronym Temporarily Outside Native Country. Agents just sorta made it mean something else," the agent wrote in a Reddit feature titled, "I Am A ... Border Patrol Agent ... Ask Me Anything."

In response to another question, however, the agent gives a different answer.

"Read an article online saying border patrol agents nickname illegals 'tonks' because 'that's the sound a maglite flashlight makes when it (hits) the back of their head.' How accurate is this?" the agent is asked.

The agent responds, "we don't carry the big maglites anymore, now we carry smaller 'Stingers' ... not tonks anymore, now they're 'tinks'."

Maglite is a brand of flashlight.

Josiah Heyman, director of the Center for Inter-American Border Studies at the University of El Paso, thinks the latter definition is more accurate based on what he said Border Patrol officers have told him in the past.

"It comes supposedly from the sound of a person's head being hit by a flashlight," Heyman wrote in an email. "Their explanation. It is derogatory. Implies people against whom one exercises violent force. That is my interpretation but pretty clear."

Heyman doesn't believe the term "tonc" is an acronym that stands for something else.

"I was specifically told by several BP agents that it is the sound of a flashlight hitting a head," Heyman said in a separate email. "I was never told either of those acronyms (or any others). I suspect that those are after-the-fact rationalizations of a disturbing word, but I cannot prove that (I do not directly have evidence). What I do have evidence of is that it was described to me by agents as the sound of a flashlight blow to the head."

Lawyers representing Warren pro bono have filed motions in federal court arguing that Warren's arrest was unconstitutional because Border Patrol agents did not have a warrant to enter the Barn's property, countering the Border Patrol's claim that agents approached Warren as part of a legal "knock and talk." They also argue that evidence based on the migrants' statements should be thrown out for the same reason.

As part of the motion to suppress, Warren's Tucson-based lawyers, Gregory Kuykendall and Amy Knight, submitted copies of text messages exchanged by Border Patrol agents as evidence that the agents went to the Barn for the express purpose of arresting Warren, and therefore needed a warrant. The text messages submitted as evidence are also intended to show the court that Border Patrol agents have a negative bias against undocumented immigrants, which led them to assume the two men they saw in the barn were in the country illegally based on their appearance, not on any actual evidence.

In one series of text messages, an agent identified as Brendan Burns writes, "Toncs at the barn" followed by "Get ready to roll this way all who are available," followed by "Came out of the house."

"10-4," an agent, identified as Albert Ballesteros, responds.

"Scott Warren pointing out terrain to them," Burns writes.

Later, Burns sends a text directed at another agent: "Sandoval make sure those toncs are isolated so we can get good mat wit interviews," using shorthand for material witness interviews.

Why ICE Detainers Are Still Being Executed In Mass. Almost A Year After SJC Rules Them Unlawful

WBUR-FM Boston, May 18, 2018

Law enforcement officers in Massachusetts cannot hold a person in custody based solely on a request from immigration officials. That decision was handed down by the state's highest court last July in a case called *Lunn v. Commonwealth*.

But nearly a year later, local law enforcement agencies say a partnership with the federal government allows them to continue executing these requests.

'We Are Certified ICE Representatives'

The SJC decision in *Lunn* said local law enforcement cannot continue to hold a person in custody who otherwise would be released just because U.S. Immigration and Customs Enforcement (ICE) asks them to do so. These requests from ICE are known as detainers. When the SJC's decision was issued, it was welcomed by some local law enforcement officials who sought direction on whether they're able to honor ICE detainers. The answer, according to the SJC, was no, state law doesn't allow for it.

Some law enforcement agents in Massachusetts, though, have said this decision from the state's highest court doesn't apply to them.

"Because we are certified ICE representatives — our officers are, who have gone through the four-week training," said Bristol County Sheriff Thomas Hodgson. In January of 2017, Hodgson signed up his department for what's called the 287(g) program, a federal partnership with immigration officials that allows the sheriff's office to serve immigration warrants and conduct interviews on behalf of ICE.

As a 287(g) partner, Hodgson chose a few of his corrections officers to be trained by ICE. Bristol currently has six trained officers and hopes to soon train an additional six.

"This was absolutely the best program for us to be able to quickly identify people that should not be let out to create more crime and cause harm to people," Hodgson said. Bristol County Sheriff Thomas Hodgson gestures during a news conference at the State House in Boston in 2011. (Charles Krupa/AP)

Plymouth and Barnstable County sheriffs and the state Department of Correction are also 287(g) partners.

Under these agreements, partners are authorized, among other things, to execute ICE detainers — the same ICE detainers the SJC said state and local officials couldn't honor under Massachusetts law.

In the six months his department has been up and running with the program, Hodgson says his officers issued nearly 20 detainers for inmates who otherwise would likely have been released. Hodgson rejected any notion that issuing these detainers is at odds with the *Lunn* decision.

"If we were in conflict with the decision obviously that would be a big problem for us because we'd be violating the lawful decision of the judges."

Seeking More Clarity

But some of the other county sheriffs still have been hesitant to sign up for the program. Theresa Finnegan, general counsel for the Hampden County Sheriff Department, said the county has been interested in becoming a 287(g) partner but first they need more clarity.

"I think the Lunn decision has left a lot of things unclear in terms of how successful and or legal a partnership with ICE under 287(g) would be at this time," Finnegan said. "Given the fact that the law isn't clear, we don't think that this is the right time to enter into that type of partnership, although we would not be opposed to it in the future."

ICE sees these agreements as valuable public safety tools. ICE spokesman John Mohan said in an email that he wouldn't offer a legal interpretation of court decisions, but that 287(g) partnerships "significantly increase" security in partner communities.

The 287(g) contracts state that partners derive their authority to perform federal immigration tasks from the Immigration and Nationality Act. So, even though a county corrections officer is working in a county facility and being paid on a county payroll, the officer also functions as an ICE officer once he or she completes 287(g) training.

This duality is concerning for some legal observers, including former Boston federal judge Nancy Gertner.

"What the SJC is saying is that no state official can detain someone, can keep them in jail, where the only basis for that detention is an ICE detainer," Gertner said.

But what happens when that state official is operating as a federal official? It's very likely this precise question will be addressed in a future court case.

The Committee for Public Counsel said in an email that they have real concerns about the legality of 287(g) agreements under the Lunn decision, and it's something they're looking into.

In Another Rebuke Of President Trump, Cities And Counties Come Out In Support Of 'Sanctuary State' Law

By Jazmine Ulloa

Los Angeles Times, May 18, 2018

Pushing back against the Trump administration, the California Senate and more than 20 cities and counties have come out in support of the state's "sanctuary" law, which limits law enforcement agencies from cooperating with federal immigration agencies.

In two friend-of-the court briefs filed Friday, former U.S. Atty. Gen. Eric H. Holder Jr. and Santa Clara County sided with California in a federal lawsuit brought forth by U.S. Atty. Gen. Jeff Sessions over its immigration policies. Holder's brief was filed on behalf of the state Senate, and Santa Clara was joined by 22 other California cities and counties.

Holder argued that entangling state and local agencies with federal immigration enforcement usurps limited resources, blurs lines of accountability and distorts trust between officers and the community. In their own brief, city and county lawyers said the federal government should not dictate how local or state resources are used.

Gov. Jerry Brown on Thursday approved a \$1.95-million payment to compensate a man wrongly sent to prison for more than 38 years for a double murder in Simi Valley that is now being investigated to determine whether it was actually the work of the Golden State Killer.

The payment was approved to Craig Richard Coley, 70, who recently was determined by a court to be "factually innocent," decades after his arrest for the murders of Ronda Wicht, 24, and her 4-year old son, Donald.

Brown did not comment Thursday in approving the settlement, but in his pardon of Coley in November, the governor said subsequent investigations ordered by his office and prosecutors determined the man was wrongly convicted.

A plan to allow homeowners 55 and older to take a portion of their Proposition 13 property tax benefits with them when they move to a new California home is eligible for the statewide ballot in November, Secretary of State Alex Padilla said in a release Thursday.

The measure, sponsored by the California Assn. of Realtors, has exceeded the 585,407 valid petition signatures it needed to qualify, Padilla said.

The initiative will appear on the ballot unless proponents withdraw it prior to June 28.

One day after President Trump and a group of like-minded Californians blasted the state's immigration laws, Gov. Jerry Brown on Thursday signed another one: a law that prevents lawyers from revealing the immigration status of crime victims and witnesses in open court unless a judge rules the information relevant to the case.

Sen. Scott Wiener (D-San Francisco) introduced the proposal after the state's top judge voiced concerns over reports of immigration agents following immigrants in California courthouses. The efforts were seen as part of Trump's call for mass deportations and increased immigration enforcement.

"Our courthouses should be places of justice, not places where immigrants are threatened with deportation," Wiener said in a statement after the law was approved. "This law makes everyone in our community safer by ensuring that witnesses and victims of crime are not afraid to report crimes, go to court and hold criminals accountable."

Asked recently whether she would push Rep. Tony Cárdenas of California to resign over allegations in a lawsuit that he molested a teenager in 2007, House Minority Leader Nancy Pelosi shrugged.

House Minority Leader Nancy Pelosi said Democrats in the state's congressional delegation are going to put their thumbs on the scale in some key House primary races to make sure strong Democratic candidates are among the top two facing voters in the fall.

"They may be subjected to criticism for that, but I'd rather be criticized for winning than criticized for losing," Pelosi (D-San Francisco) said.

Under the state's top-two primary system, the two candidates receiving the highest number of votes advance to the general election in November, regardless of party. Democrats fear that high numbers of primary hopefuls could split the vote and leave the party without candidates in high-stakes congressional races in November.

On paper, California's "top two" open primary made sense: When one political party dominated an election, the weaker party could support a consolation moderate.

Law enforcement supporters of Antonio Villaraigosa called on gubernatorial race rival John Chiang to apologize for an attack ad and take it down, as an independent fact-checking organization said it contained falsehoods about Villaraigosa's tenure as mayor of Los Angeles.

The move comes as the union representing LAPD rank-and-file officers donated \$250,000 to a new independent expenditure committee supporting Villaraigosa's bid for governor.

The ad dispute is over the testing of rape kits while Villaraigosa was mayor.

A group of California's Democratic state senators wants to nearly triple Gov. Jerry Brown's proposed spending for low-income and homeless housing.

The plan would put \$1 billion of the state's projected \$8.8-billion tax windfall toward financing low-income housing projects, supporting local efforts to provide rental assistance and shelters for homeless residents, and funding other programs. By comparison, Brown proposed \$359 million for homelessness programs in his revised budget unveiled last week.

"We cannot hold our heads up high as we walk down the streets in our communities and in effect step over folks that are sleeping in doorways or that are living in tent encampments," said Sen. Nancy Skinner (D-Berkeley), one of the plan's authors. "We can do better. We will do better."

Los Angeles County Supervisor Mark Ridley-Thomas on Wednesday endorsed Lt. Gov. Gavin Newsom for governor, lauding his fellow Democrat's work on municipal passage of universal healthcare and fighting homelessness as mayor of San Francisco.

The new backing means three of the five supervisors have endorsed Newsom in a key county ahead of the June 5 primary.

"He is a rather rare leader who not only can rally people behind a bold vision for change, but also has the commitment and determination to see those changes through," Ridley-Thomas said in a statement provided to The Times by the Newsom campaign. "Gavin has stuck his neck out for all of our communities, and he has set an example for other municipal leaders throughout the state."

Vulnerable CA Republicans Not Fully On Board With Trump's Sanctuary State Attacks

By Kate Irby And Emily Cadei

McClatchy, May 18, 2018

President Donald Trump repeatedly, emphatically told California officials this week that attacking the state's sanctuary policies would benefit them politically.

Not all of California's Republicans facing tough reelection battles in 2018 seem convinced.

While the state's congressional Republicans do routinely condemn local sanctuary policies, several declined to align themselves with the White House's hardcore stance — which includes penalizing sanctuary cities and states.

So-called sanctuary jurisdictions are those accused of directing their law enforcement officers to not cooperate with Immigration and Customs Enforcement (ICE) agents when they detain people who are in the country illegally.

California Republican Reps. David Valadao, Jeff Denham and Darrell Issa (who is not running for reelection) all condemned sanctuary city policies and liberal California officials in comments to McClatchy on Friday.

But they hedged when asked if they supported the administration's efforts to punish those cities. Among the punishments: Withholding federal grants to law enforcement and suing the state of California over its sanctuary laws.

All three congressmen represent districts won by Democratic presidential candidate Hillary Clinton in 2016.

"Law enforcement has to have the ability to go after these bad actors and people who are a threat to our communities," Valadao said, adding that the violent MS-13 gang is a significant problem in his district.

"I support the administration going after folks who are here to cause harm, where that makes sense," he said, "but I also want to make sure we do reform our immigration system."

Denham, who has been leading efforts to push for a vote on immigration reform in the House, had a similar take.

"I believe in following the rule of law and making sure that our communities are safe, and our local law enforcement should be working with all levels of law enforcement, which our sheriff does," Denham said, pointing out his sheriff, Adam Christianson of Stanislaus County, was sitting next to Trump in the meeting.

Local invitees to Trump's televised May 16 meeting on sanctuary state policies included Christianson, El Dorado County Sheriff John D'Agostini and Fresno County Sheriff Margaret Mims.

D'Agostini suggested to the president that California politicians enacted sanctuary laws to score political points. "Well, Sheriff, I'll tell you what — it's not bad politics anymore," Trump replied. "I think, maybe, more than any

place else right now, there's a revolution going on in California. They want safety."

At another point, he told the local leaders, many of whom represent cities and counties that have voted to join the administration's lawsuit against California, that "it's becoming quite popular what you're doing."

Denham declined to say if he supported penalties on sanctuary jurisdictions, instead saying that federal dollars should directly flow to counties following federal law rather than going through a state government flouting it.

"If you have a sheriff that is working with all levels of government, then they shouldn't be put in jeopardy of losing law enforcement dollars when following the law," he said.

Issa's advice to his embattled colleagues was to emphasize that "law enforcement is being hampered by criminal aliens knowingly being released."

The congressman would not say that he supported the Trump administration's efforts to penalize sanctuary cities, but did say it was inappropriate for jurisdictions to receive federal grants if local governments were not properly fighting MS-13.

Not all of the state's vulnerable Republicans were so uneasy about punishing local jurisdictions.

Rep. Mimi Walters, R-Calif., who represents an Orange County district that Clinton won in 2016, said she was in full agreement with the Trump administration's moves.

"I support the administration 100 percent on this," Walters said.

"The number one job of government is to protect people," she explained, and it isn't doing its job well if it shelters people in the country illegally who are committing crimes.

Orange County has been at the epicenter of the local resistance to the sanctuary law. The county's board of supervisors and a number of its cities have voted to join the administration's lawsuit over three state laws that limit local law enforcement's ability to communicate with federal immigration officials. A number of the mayors and other officials who attended the White House roundtable came from the county.

Walters' district also has a smaller Latino population than those represented by the Central Valley Republicans—22 percent compared to 45 percent for Denham and 76 percent for Valadao, according to the Pew Research Center.

A handful of Republicans running in the two hotly contested open seats in San Diego and Orange County have also embraced the president's tough line on sanctuary policies.

San Diego County Supervisor Kristin Gaspar attended the White House meeting and suggested California's laws — and Gov. Jerry Brown, in particular — were to blame for rising crime.

Sanctuary cities have become a hot topic in recent months, but the modern movement began more than 30 years ago in Tucson, Arizona. Nicole L. CvetnicMcClatchy

"Governor Brown makes San Diego a great place to commit a crime because you have options. You can either be across the border in a matter of minutes and shielded by Mexico, or you have the option of simply staying put, shielded by Governor Moonbeam," she said.

California Republicans in less competitive districts have also been vocal in their support for the Trump administration's actions. Reps. Tom McClintock, R-Calif., and Doug LaMalfa, R-Calif., both lauded local officials who attended the White House roundtable and savaged California's sanctuary laws.

"President Trump highlighted the problems caused by California's outrageous sanctuary state policies today by hearing directly from Californians, including our El Dorado County Sheriff John D'Agostini, about the threat to public safety these policies pose to Californians," McClintock said in a press release.

Jim Brulte, California Republican Party chairman, said the politics of sanctuary laws depends on the districts.

"In some districts, particularly in the Bay Area, it's very popular," Brulte said. "And in other districts, particularly Orange County, it's very unpopular."

The White House clearly sees political benefit to continuing to highlight the conflict. Trump, Attorney General Jeff Sessions and Homeland Security Secretary Kirstjen Nielsen all came to California in recent months and publicly attacked the state's sanctuary laws.

Trump's entire roundtable was broadcast live, featuring extensive comments from 16 local California officials who have been openly critical of the state's policies, as well as Bakersfield-area Rep. Kevin McCarthy, the House Majority Leader, and other administration officials.

California's Illegal Immigration Fight Is Back, And So Are The Political Pitfalls For Republicans

By John Myers

[Los Angeles Times](#), May 20, 2018

Few topics have been as incendiary in California as illegal immigration, with intense arguments about whether those who cross borders are a reminder of the American dream or a sign of its demise.

Those past debates — most visible during elections in 1994 and 2010 — may offer some insight into the issue's political rewards and risks.

For starters, neither effort sprang from measurable public anger. In 1993, a Los Angeles Times poll found only 2% of voters surveyed cited immigration as the state's top problem. Jobs and the economy were more pressing, they said.

Nor were things boiling over in late 2009, when 3% of respondents picked illegal immigration as the biggest problem in a poll by the Public Policy Institute of California.

Column: There's not a California congressional district with Republicans in the majority »

And yet Republican leaders of the time insisted otherwise.

In late 1993, then-Gov. Pete Wilson said that "our state is facing a crisis in illegal immigration." In the spring of 2010, GOP gubernatorial candidate Steve Poizner warned of "the strain" the issue was causing. Both men ultimately built campaigns around an effort to deny government services based on citizenship.

Fast forward to May 2016, just before the state's current debate, and a remarkably similar snapshot: Only 6% of likely voters in a PPIC poll saw illegal immigration as the biggest issue. Five times as many said it was jobs and the economy.

More than a dozen California Republicans suggested otherwise when they sounded the alarm on illegal immigration last week with President Trump.

"It is a crisis — that's the point we're at in California," Assemblywoman Melissa Melendez (R-Lake Elsinore) said at a White House meeting, with Trump sitting next to her and nodding in agreement.

Coverage of California politics »

Statistics from U.S. Customs and Border Protection suggest otherwise. When comparing the past seven months to the same time period in 2017, there's been no growth in the total number of adults and families detained along California's portion of the border. The only growth — and it's been sizable — is in the number of unaccompanied children crossing.

Unlike today, the 1994 and 2010 clashes took place in the midst of California recessions — hardly the case now, with the state's jobless rate at its lowest recorded point since 1976.

This time, the conflict feels more instinctual than economic. The president's push for more immigration raids sparked California Democrats to write a state law limiting local law enforcement's cooperation. That prompted a federal lawsuit and now, friend-of-the-court briefs filed by California communities on both sides.

A more conciliatory approach is being taken by Rep. Jeff Denham (R-Turlock). He's pushing for a path toward citizenship for so-called Dreamers, the young immigrants left in limbo by the cancellation of the Deferred Action for Childhood Arrivals program, or DACA. Denham enlisted the help of two fellow California Republicans in the House, and the approach aligns with middle-of-the-road voters.

The party's leadership, though, is dusting off the get-tough strategy of 1994 and 2010. John Cox, the GOP candidate for governor endorsed by Trump, boasts of "leading the opposition" to the sanctuary law in a TV ad. And

he describes the immigrants as "illegal aliens," a phrase that invokes the polarizing fights of the past.

The hard line on illegal immigration worked in 1994. But it's haunted the party since, as public opinion shifted and Latinos grew in size and power. So why try it again?

Because Republicans, now only 25% of the registered electorate, need to keep their base voters motivated and unified. Otherwise, the dynamics of a top-two primary — where the biggest clusters of votes win — favors Democrats.

History suggests it might be a clever game plan in June when more conservative primary voters tend to show up, but calamitous come November.

No, Mr. President, I Am Not Obstructing Justice

By Libby Schaaf

[Washington Post](#), May 18, 2018

Libby Schaaf is the mayor of Oakland, Calif.

When President Trump was admonishing Attorney General Jeff Sessions to charge me with obstruction of justice Wednesday, I was at Harvard University sharing how we intend to give every child from Oakland, Calif., the opportunity to attend college.

Like all cities, Oakland suffers from disparities. Our African American and Latino children finish college at vastly lower rates than whites. That achievement gap is a tragic legacy of our country's racist history.

I sought elected office to fix that — to build an equitable city where every resident, from every neighborhood and background, has the same opportunity to thrive. I believe in the American promise of "justice for all."

Mr. President, I am not obstructing justice. I am seeking it.

The president takes issue with a tweet I posted in February in which I notified residents of an impending raid by Immigration and Customs Enforcement in the Bay Area, including Oakland. I wanted to make sure that people were prepared, not panicked, and that they understood their legal rights.

I did this for people such as Maria Mendoza-Sanchez, who immigrated to the United States from Mexico 24 years ago. She learned English, earned a degree and worked as a nurse in the cancer ward of Oakland's public hospital. She and her husband, Eusebio, raised four children and bought a home.

"It's supposed to be that if you assimilate to the culture of the country, you pay taxes, you work, you graduate college, you have a better chance," Mendoza-Sanchez told the San Francisco Chronicle.

Last August, Mendoza-Sanchez and her husband were deported. They were ripped from their U.S.-born children — exiled to a country they had not set foot in for two decades.

And they were taken from Oakland, where they had contributed to our community's collective health, well-being and safety.

Under the Obama administration, Mendoza-Sanchez's status — with a clean record, a good job and college-bound children — made her and her husband eligible for deferrals as they sought citizenship. But under the Trump administration, undocumented residents are vilified as "dangerous criminals" or, as of last week — simply "animals." Trump has more than doubled deportations of people without any criminal convictions.

There are people like Mendoza-Sanchez in communities across our country: hard-working, tax-paying, law-abiding. They are parents, neighbors and caretakers. Their stories may have begun in another country, but — to our blessing and advantage — continue in ours.

They deserve justice too.

Far from the days when Trump's Scottish mother gained her naturalization so easily, today's immigration system is broken. It separates families, endangers our economy that relies on a substantial undocumented workforce and doesn't provide legal representation to those seeking political asylum.

As mayor, it's my duty to protect my residents — especially when our most vulnerable are unjustly attacked. As a leader, it's my duty to call out this administration's anti-immigrant fearmongering for what it is: a racist lie.

It's well documented that immigrants — even undocumented immigrants — commit fewer crimes than American-born citizens. And diverse, sanctuary cities such as Oakland are seeing dramatic decreases in crime.

Back at Harvard, I was proud to show how our community has increased the number of college-enrolled, African American students by 14 percent and Latino students by 11 percent in just one year. We're determined to close the achievement gap one student, one family and one community at a time.

We call our plan the Oakland Promise. It exemplifies America's promise. Because Oakland doesn't obstruct justice, we seek it.

Are Federal Prosecutors Targeting Central Americans Who Cross The Border Illegally?

By Greg Moran

[Los Angeles Times](#), May 19, 2018

It was just after 9 p.m. on April 27 when Border Patrol Agent Jamie Renteria spotted a group of 18 people walking north from the fence that marks the international border between the U.S. and Mexico in an area called Goat Canyon.

Within a few minutes, Renteria had arrested all of them — 13 from Honduras, one from Guatemala, one from Mexico and three from India. A few hours earlier a second, smaller

group of seven was arrested by another agent not too far away.

The arrests were not unusual for a Friday night at the border. But since the arrests, which came as a caravan of Central American migrants arrived at the border in Tijuana, a legal battle over some of those who were charged with illegally entering the country has been shaping up in San Diego's federal court.

At issue is the claim from 11 people facing charges of illegal entry into the U.S., typically a routine misdemeanor charge, that they are being singled out for prosecution by the Justice Department because they are from Central American countries.

Lawyers for the defendants said that others arrested in the same group, such as the three from India, are not facing charges. Such selective prosecution is unconstitutional — and also flies in the face of the Trump administration's publicized vow of "zero tolerance" for any illegal border crossers — regardless of the country they came from, the lawyers argue.

The case is scheduled for a key hearing next week. Federal prosecutors in court papers deny anyone was singled out because of where they are from, but instead argue that the defendants were trying to "cut the line" of other caravan members, who were planning to seek asylum at ports of entry.

The government said that public statements by Department of Homeland Security officials and the Border Patrol warned that asylum seekers from the caravan would be accepted — but those trying to sneak in illegally would be prosecuted.

Defense lawyers want the charges dismissed entirely.

To bolster their case, they point to public statements from the administration — tweets from President Trump and a series of statements from Atty. Gen. Jeff Sessions — that they say show a specific targeting of Central American immigrants.

"The government cannot choose its defendants based on their alleged country of citizenship, but that's exactly what it did here," Eric Fish, a federal public defender, argued in court papers on behalf of one of his clients, Olga George.

The 31-year-old Honduran woman came to the border with her four minor children, seeking asylum, Fish said.

The court battle is unusual in what are normally open-and-shut illegal entry cases. The overwhelming majority end up with quick guilty pleas. A first offense carries a sentence of up to six months in prison, though defendants who don't have prior offenses are usually offered a deal where they are credited with time served since their arrest, and are soon deported.

In court papers the government contends that those who were arrested were all part of a caravan of more than 200 migrants that came north through Mexico to Tijuana, intending to seek asylum in the U.S. In the weeks before the

caravan arrived, both Trump and Sessions made public statements about the caravan that Fish contends show that only Central Americans were targeted.

He quoted a Trump tweet from April 3 warning of "the big Caravan of people from Honduras" heading toward the border. Similarly, Sessions in an April 23 news release referenced the "so-called 'migrant caravan' which press reports indicate consists mostly of Honduran nationals."

Coupled with those statements was a memo Sessions issued on April 6 ordering federal prosecutors on the border to adopt a "zero tolerance" policy and prosecute anyone arrested for misdemeanor illegal entry.

Prosecuting only those from Central America and not the three people from India undercuts the zero tolerance stance, Fish argued, and, coupled with the public statements, shows the discriminatory intent behind the prosecutions.

He further argued that it's unclear exactly how the government determined those who were criminally charged were from the caravan. George, court records show, did not tell the agent she was a member of the caravan.

Government lawyers countered that the prosecutions were not selective but were targeted at people who illegally entered the country and then claimed asylum. That was unfair to caravan members who waited, many for days, to apply for asylum at the port of entry. Filing charges against people who jumped the line also acted as a deterrent, lawyers argued.

The three Indian men who were caught with George were not prosecuted simply because they were not members of the caravan, the government contends.

"A prosecution of the Indian nationals offers no pointed deterrence toward the hundreds of caravan members assembled near the port of entry," Assistant U.S. Atty. Michael E. Lasater wrote.

In addition, he noted that one non-Central American caught with George, a Mexican man, was also prosecuted, which the government argues undercuts the claim of selective prosecution.

Moran writes for the San Diego Union-Tribune.
greg.moran@sduniontribune.com

Are Federal Prosecutors Targeting People From Central America Who Cross The Border Illegally?

San Diego Union-Tribune, May 18, 2018

It was just after 9 p.m. on April 27 when Border Patrol Agent Jamie Renteria spotted a group of 18 people walking north from the fence demarcating the international border between the U.S. and Mexico in an area called Goat Canyon.

Within a few minutes, Renteria had arrested all of them — 13 from Honduras, one from Guatemala, one from Mexico and three from India. A few hours earlier a second, smaller

group of seven was arrested by another agent not too far away.

The two sets of arrests were not highly unusual for a Friday night at the border. But since the arrests, which came as a group of 400 members of a caravan of migrants mostly from Central America arrived at the border in Tijuana, a legal battle over some of those who were charged with illegally entering the country has been shaping up in San Diego's federal court.

At issue is the claim from 11 people facing charges of illegal entry into the U.S., normally a routine misdemeanor charge that is a staple of the workload in the downtown federal courthouse, that they are being singled out for prosecution by the Justice Department because they are from Central American countries.

Lawyers for the defendants point to the fact that others arrested in the same group, such as three people from India arrested by Renteria are not facing charges. Such selective prosecution is unconstitutional — and also flies in the face of the Trump administration's publicized vow of "zero tolerance" for any illegal border crossers — regardless of the country they came from.

The case is scheduled for a key hearing next week. Federal prosecutors in court papers have rejected the notion the defendants were singled out because of where they are from, but instead argue the defendants were trying to "cut the line" of other caravan members, who were going to seek asylum at the ports of entry.

The government said that public statements by Department of Homeland Security officials and the Border Patrol warned that asylum seekers from the caravan would be accepted — but those trying to sneak in illegally would be prosecuted.

Undeterred defense lawyers want the charges dismissed entirely.

To bolster their case, they also point to public statements from the administration — tweets from President Donald Trump and a series of statements from Attorney General Jeff Sessions — that they say show a targeting of Central American immigrants.

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In court papers the government contends that those who were arrested were all part of the caravan migrants that came north through Mexico to Tijuana, intending to seek asylum in the U.S. In the weeks before the caravan arrived, both Trump and Sessions made public statements about the caravan that Fish contends show that only Central Americans were targeted.

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Joliet Mayor: City Does Not Summon ICE

Joliet (IL) Patch, May 20, 2018

The presence of federal agents from the U.S. Immigration and Customs Enforcement in Joliet over the weekend caused some fear and confusion around Joliet's Hispanic community. The situation was exploited when an anonymous Facebook page, that is believed to be operated by a former Joliet politician, posted photos and proclaimed that the city and Will County had called in ICE.

Later on Saturday night, after the Facebook post was shared by dozens of Joliet residents, the posting was updated

to remove any reference to the city of Joliet asking ICE to visit the community.

Still, a number of people reached out to Joliet Patch over the weekend inquiring about the incident.

"We would like to know what is ice doing in joliet?" one person wrote.

"Hi Joliet patch, what information do you have on ICE being in east side joliet today?" another wrote.

Joliet Mayor Bob O'Dekirk said, "The city of Joliet has nothing to do with this ... It's not what Joliet Police do. Federal law enforcement is an independent agency."

The mayor said it's his understanding ICE may have been in Joliet looking for a specific person or persons, no different than if the federal law enforcement agency went to any other community as part of their job.

Hispanic Mother Says She Was Denied Humanitarian Protection

Atlanta Journal-Constitution, May 18, 2018

When Rosa García entered the doors of the Immigration and Customs Enforcement building in Atlanta, she was uncertain whether she would exit those same doors and be able to hug her children once again.

García, a Honduran native, was heading to a routine appointment with immigration authorities. According to her lawyer, it was probable that on this occasion, officials would arrest and deport her.

Two of García's children, Wilmer, 17, and Selena, 14, waited outside. They constantly looked toward the building's doors to see whether García would come out or if she would be arrested.

"I didn't sleep. All I could think was: what if we go tomorrow and they leave my mother there. What am I going to do with all my siblings who are going to miss her?" said Wilmer Danilo Guzmán, the oldest of García's six children.

According to García, immigration authorities denied her request for protection against deportation. It is a status that she has held for the past year, due to one of her children being diagnosed with cancer. Because of her son's medical condition, García was granted deferred action for humanitarian reasons.

García's son's health improved, however, and an ICE agent determined that the time had come for García to return to Honduras.

"I have to go... but in November," she explained, choking back tears.

García was previously deported in 2007, but she returned, as her six children were still living in the United States. García feared they would fall under the custody of the state's Division of Family and Children Service.

Since then, García has provided for her family through her job as a house painter. She also works with her husband at the church they attend in Norcross.

In 2017, however, García was detained by police for driving without a license, and she found herself once again at the mercy of immigration authorities.

"I was in jail for 17 days," she said.

At that time, however, a judge permitted García to stay in the country under protection of deferred action for humanitarian reasons, due to her child's cancer diagnosis.

For García, Georgia became like a second home. A place to put down roots with her family. "I have six children, yes, but the government doesn't provide for them, nor do I ask for their support. My husband works very hard to provide for our family, and that's how we've done things ever since we arrived here," assured García.

Bryan Cox, a spokesman for ICE said he could not provide specific information about her case, since García was not under arrest.

"According to our privacy policies, we cannot analyze an individual's immigration record. But in general, a person who is not under custody would not face an imminent deportation," said Cox.

Each Saturday look for a feature story from our media partners at Mundo Hispanico that highlights an aspect of the Hispanic community.

King, Zeldin Ask Feds For Long Island Immigration Court

By Victor Manuel Ramos

Newsday (NY), May 20, 2018

Two local congressmen have asked the federal government to attack the large backlog in deportation proceedings and immigrant petitions from Nassau and Suffolk counties by opening an immigration court on Long Island.

A letter from Reps. Lee Zeldin (R-Shirley) and Peter King (R-Seaford) said such a move could help in the fight against gangs, as the federal government pursues a crackdown on MS-13 that includes removing from the country alleged gang members who are immigrants.

"The backlog in immigration courts is a result of years of policy failures under prior administrations," the letter states. ". . . Suffolk and Nassau County could efficiently use these resources to address the backlog as well as prioritize incoming cases related to gang violence."

The letter, sent on April 25 and released this month, follows a January report by the Transactional Records Access Clearinghouse at Syracuse University that showed Nassau and Suffolk among the top 10 counties nationwide for the size of their immigration backlogs, with more than 23,000 pending cases combined. The letter references nearly 2,700

unaccompanied minors resettled on Long Island in the 2017 fiscal year, which ended Sept. 30.

Long Island's cases are currently part of the larger docket of New York City courts, ranging from deportation proceedings to asylum petitions. New York and Long Island together had nearly 80,000 immigrants waiting to be called.

The letter, addressed to Director James McHenry of the Executive Office for Immigration Review, says the region should get one of 150 new immigration courtrooms that Zeldin said are planned for this fiscal year and next.

A spokesman with the Immigration Review office, which is part of the U.S. Department of Justice, said Friday that under Attorney General Jeff Sessions the agency "has looked for ways to increase adjudicatory capacity" to handle more cases.

The administration "is in receipt of the letter and reviewing it, and we are in constant contact with the Government Services Administration in order to identify existing government space across the country that would make for an appropriate immigration court space," the spokesman said.

King said a Long Island immigration court would speed up the hearings for immigrants who qualify to stay as well as those who should go.

If suspects "have a longer wait to get a court hearing . . . then you have potentially dangerous people on the ground," said King, adding that "those who are not a threat, and have a case to make, should be able to go to court to make it."

Zeldin said in a statement that the case backlog would be reduced, while speeding up enforcement. "An immigration court on Long Island is necessary to ensure law enforcement officials have the tools they need."

To Camille Mackler, immigration legal policy director at the New York Immigration Coalition, the delays signal larger issues with aggressive enforcement. A new court won't cancel out the push for deportations as the Department of Justice takes away judges' flexibility to administratively close cases, she said.

"They are increasing the backlog because of their punitive policies that don't make sense," Mackler said. "This is just one more example of the Trump administration trying to do something flashy that has no substance behind it."

Zeldin, King Seek Immigration Court For Long Island

By Kelly Zegers

Suffolk (NY) Times, May 18, 2018

Congressmen Lee Zeldin (R-Shirley) and Peter King (R-Seaford), citing a massive backlog of pending immigration cases, are requesting that Long Island be the place for a new immigration court.

In a letter to James McHenry, director of the Executive Office for Immigration Review, Mr. Zeldin and Mr. King referred to U.S. Immigration and Customs Enforcement's budget request for fiscal year 2019, which included a commitment to open 75 new immigration courtrooms to reduce the backlog of pending cases.

"Pending cases contribute to associated gang violence on Long Island as gang members target youth like [unaccompanied alien children]," the letter stated.

The congressmen cited statistics collected by the Transactional Records Access Clearinghouse, a data research organization at Syracuse University, which listed Suffolk and Nassau counties in the "top 10" nationwide for pending cases before the immigration court.

In data collected as of December 2017, TRAC breaks data down by town, showing 698 pending cases in Riverhead, 292 in Southold and 11 on Shelter Island.

Sister Margaret Smyth and East End immigration attorney Christopher Worth are familiar with the trip to Federal Plaza in lower Manhattan for the immigration court there.

"The immediate reaction is it's closer, which helps people," Sister Margaret Smyth said of the idea for a more local immigration court.

She's accompanied people to the Manhattan court both as a character witness and as moral support, and has had to leave the Riverhead area early — once on a 4:30 a.m. bus, another time on a 6 a.m. train — to make it to court on time.

Mr. Worth said establishing additional immigration courts and judges would be a reasonable fix to the case backlog.

He agreed with Sister Margaret that, from a practical standpoint, a Long Island court would be better for people in deportation proceedings, but said that if a court is placed on Long Island, there should also be ICE holding centers.

"If there is a push to create a court on Long Island somewhere, it should be accompanied with a push to create more local bed space because you can have situations where there's a denial of access to counsel when it's impossible to meet with your client," he said.

Following ICE's "Operation Keep Safe" last month — a six-day roundup of 225 people in New York City, Long Island and the Hudson Valley, for violating immigration laws — Mr. Worth headed to a court in Texas to appear for his client, Elmer Erazo, who has lived in Flanders for more than 10 years and was among those arrested. Of the 225 people arrested, 180 had been convicted on prior charges or had charges pending.

Mr. Erazo's arrest was likely based on a 2014 DWI, Mr. Worth said. The hearing last week was for the charge of entering the country without inspection, he said.

The Flanders man was first held in Bergen County, New Jersey, then sent to a holding center in New Mexico,

then another, because there were no ICE detainee beds on Long Island or closer. Mr. Worth said he could have appeared by phone, but it was an important hearing, he said.

Some people are frustrated with the slow-moving docket, he said. Sister Margaret said she recently accompanied someone to the Manhattan court whose hearing was scheduled for 2019. They waited in the master calendar room at Federal Plaza for to be given a specific hearing date.

"There's nothing but lines of people," Sister Margaret said. "The people on the lines, they're starting to move up to the middle of 2020."

On the other hand, she and Mr. Worth both noted that rushing cases isn't ideal, either.

Litigants need time to gather evidence and ensure a full and fair proceeding, Mr. Worth said, adding that immigration cases are complex, and evidence to make a strong case is often being collected abroad.

The U.S. Department of Justice recently sent a memo to immigration judges announcing that they will be evaluated, in part, by how many cases they complete in a year. A "satisfactory" evaluation amounts to 700 completed cases, with fewer than 15 percent of decisions overturned on appeal, according to the memo, which has been circulated by national media outlets.

That's worrisome, Mr. Worth said. "Setting quotas like that is a recipe for due process violations, because judges will feel under the gun to push cases along when maybe litigants didn't have ample time to prepare their cases," he said.

Reps. King, Zeldin Seek New Immigration Court On LI

News 12-TV Long Island (NY), May 18, 2018

WOODBURY — Long Island's two Republican congressmen are asking for a new immigration court to be created for cases in Nassau and Suffolk.

More than 23,000 people on Long Island have unresolved cases in federal immigration court, putting both Nassau and Suffolk in the top 10 counties nationwide with the biggest backlog.

Reps. Peter King and Lee Zeldin are requesting a new immigration court on Long Island to cut the immigration-court logjam and combat gang violence.

"It's important for those who have been in detention or those who are awaiting hearings that it be expedited," says King. "It's also important for the police, if these are bad people, that they be deported."

King and Zeldin sent a letter to James McHenry, the director of the Executive Office for Immigration Review, asking him to open one of 75 planned new immigration courts on Long Island.

In the letter, the congressmen stated "Suffolk and Nassau County have absorbed a significant number of Unaccompanied Alien Children, with 1,219 being relocated in Nassau County and 1,472 going to sponsors in Suffolk County in 2017. Pending cases contribute to associated gang violence on Long Island as gang members target youth such as UACs."

"You can't have people continuing to live here illegally, and also it's unfair for people who should not be deported to have this hang over their heads," says King.

Currently, the closest immigration court is in lower Manhattan.

Immigration attorney Patrick Young says creating a court on Long Island would save time and money.

"I think that will make providing legal representation less expensive for immigrants out here, and I think in many ways it will also create great conveniences for the immigrants and attorneys who work on their behalf," says Young.

King says a likely location for the immigration court would be in Central Islip. He hopes the feds will give the greenlight soon and get it up and running within the year.

Sessions Curbs Authority Of Immigration Judges With Policy Change

By John Bowden

The Hill, May 18, 2018

Attorney General Jeff Sessions on Thursday issued a directive ending a common tactic used by immigration judges to pause or suspend cases before them while waiting for new evidence.

The New York Times reports that Sessions issued a directive ending the power of immigration judges to put a case on hold using administrative closure, which judges have used in the past to suspend cases for immigrants awaiting a visa application or the appeal of their criminal conviction.

Sessions blames the process for allowing immigrants without legal status to remain in the U.S. indefinitely while judges leave their cases on pause.

Immigration judges "do not have the general authority to suspend indefinitely immigration proceedings by administrative closure," Sessions wrote in the order, according to the Times.

Putting the cases on hold has "effectively resulted in illegal aliens remaining indefinitely in the United States without any formal legal status," he added.

The move could reopen hundreds of thousands of cases, but according to the Times will likely not reopen cases already closed under administrative closure. Sessions wrote in his directive that such a change would overwhelm the administration's already-backlogged immigration case system.

"Requiring recalendaring of all of these cases immediately, however, would likely overwhelm the immigration courts and undercut the efficient administration of immigration law," he said.

Benjamin Johnson, the executive director of the immigration lawyers association, told the Times that Sessions's order would erode the rights of judges to make their own independent decisions.

"Due process demands that we maintain an immigration court system with independent judges who have the authority and flexibility to make decisions," Johnson said.

Jeff Sessions Curtails Immigration Judges' Authority To Let Illegal Aliens Walk Free

By Ian Mason

Breitbart, May 18, 2018

Attorney General Jeff Sessions issued a sweeping restriction Thursday on so-called "administrative closures" in the immigration courts that often allow aliens facing deportation to remain in the country indefinitely as their cases fall off the docket, never to be rescheduled.

In March, Sessions indicated he would use his power to overrule the Board of Immigration Review (BIR) to curtail immigration judges' authority to drop cases without a decision. Thursday, he made good on this pledge, holding that "immigration judges and the Board do not have the general authority to suspend indefinitely immigration proceedings by administrative closure" in a ruling that will curtail one of the main "catch-and-release" methods that became popular under the Obama administration.

As Sessions's opinion relates, "The practice of administrative closure has grown dramatically as the Board has made administrative closure easier to obtain ... This sharp increase tracks changes in Board precedent. For decades, the immigration judge would grant administrative closure only if both parties agreed."

The Guatemalan illegal alien at issue in this case, Matter of Castro-Tum, is illustrative of the issue. After entering the country illegally in 2014, the 17-year-old "unaccompanied minor" was allowed to enter the United States with only a notice to appear before an immigration court, which he repeatedly failed to do. Eventually, despite DHS objections, his case was simply administratively closed, leaving it effectively closed and the illegal alien free to continue living in America.

A 2011 guidance put in place by Obama era U.S. Immigration and Customs Enforcement (ICE) Director John Morton encouraged the use of "prosecutorial discretion" in any proceeding before the Executive Office of Immigration Review (EOIR), the Department of Justice Office that manages the immigration courts. ICE was instructed to consider factors like aliens' "pursuit of education in the United

States," "ties and contributions to the community," and "ties to the home country and conditions in the country," in considering which removal cases to drop.

Two years later, an EOIR memo "strongly encouraged" the use of the existing administrative closure procedure to get "appropriate" immigration cases off the docket. The result was that use of administrative closure grew rapidly. Between October 1, 2011, shortly after the first of the new rules went into effect, and September 30, 2017, immigration courts issued more than three-quarters as many administrative closures as they did in the previous 31 years.

Most of these 215,285 cases would never be rescheduled, allowing the aliens in question to continue living in the United States. According to Attorney General Sessions's decision Thursday, "Since 1980, immigration judges have recalendared less than a third of administratively closed cases."

These cases do not count towards the 600,000+ immigration case backlog currently hamstringing immigration enforcement.

Justice Department spokesman Devin O'Malley issued the following statement:

Starting in 2012, immigration judges began increasingly to rely on administrative closures, which suspended cases indefinitely rather than actually rendering a final decision. Congress never granted such broad authority to immigration judges, nor had the Attorney General delegated it. This process—where immigration court cases were put 'out of sight, out of mind'—effectively resulted in illegal aliens remaining indefinitely in the United States without any formal legal status. Today's opinion by Attorney General Sessions promotes the rule of law in the immigration system and eliminates the unfettered use of administrative closures.

Sessions is expected to announce other reviews of BIR decisions with an eye to help whittle down the immigration backlog and stop enabling catch-and-release. Other reforms are apparently in the works. In a statement, O'Malley said:

Many of the policies in recent years have contributed to a three-fold increase of the immigration courts' pending caseload. This massive increase necessitated the Justice Department's 'Strategic Caseload Reduction Plan,' a series of common-sense reforms that aim to reduce the so-called 'backlog' by realigning the agency towards completing cases, increasing both productivity and capacity, and changing policies that lead to inefficiencies and waste.

Plans include seeding immigration judge hiring, allowing electronic filing in immigration cases, and permitting immigration hearings to take place via video conferencing.

Sessions Limits How Immigration Judges Can Close Cases

Law360, May 18, 2018

U.S. Attorney General Jeff Sessions on Thursday ordered that immigration judges may not close administrative proceedings in immigration cases without issuing decisions on the matters, ending a tool that had been used during an era of expanding dockets in part to focus limited judicial resources on cases deemed more pressing.

Sessions barred the judges and the Board of Immigration Appeals from using "administrative closures," which allow some individuals suspected of being in the U.S. without authorization to remain in the country in a quasi-legal limbo as...

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Sessions Orders Immigration Courts To Stop Suspending Proceedings

Courthouse News, May 18, 2018

Attorney General Jeff Sessions has ordered immigration courts to stop using an administrative tool to close cases despite the immigration system's massive backlog.

In an interim decision announced Thursday, Sessions said immigration courts "do not have the general authority" to indefinitely suspended immigration proceedings through the use of the administrative closure process.

Instead Sessions said these cases should be re-calendared and heard later.

"In recent years, immigration judges and the Board have increasingly ordered administrative closure to remove a large number of cases from their dockets," Sessions wrote. "Although described as a temporary suspension, administrative closure is effectively permanent in most instances."

Sessions said numbers from the Executive Office for Immigration Review show less than a third of cases closed in this way get recalendared. The total number of cases closed in this way from 1980 to 2011 was about 283,000, but from 2011 to 2017, according to numbers provided by the agency, the number was over 215,000.

"Congress has never authorized administrative closures in a statute, and Department of Justice regulations only permit administrative closure in specific categories of cases," Sessions wrote, further condemning the practice. "The Attorney General has never delegated the general authority, and I decline to do so now."

But the administrative closure system has been called a necessity by legal advocates.

American Bar Association President Hilarie Bass spoke in favor of the tool when Congress held a hearing to review the judicial immigration system last month.

In a statement released with an amicus brief supporting the tool, she said the massive backlog that remains before the courts, 667,000 matters pending as of December 2017,

can be chipped away at using administrative closure and that the US Supreme Court has found immigration judges have the "power to defer adjudication of a case as inherent in the authority to decide cases."

"Withdrawing the authority from (immigration judges) and the Board to administratively close proceedings would make it considerably more difficult for those individuals to obtain relief," Bass said. "In the absence of administrative closure, (judges) confronted with such cases will either issue continuance after continuance... or will issue final orders of removal, pretermittting those proceedings."

"Neither course is appropriate or desirable in an efficient and balanced adjudicative system," she said.

On Friday she told Courthouse News "We are disappointed in the decision. It intrudes on the independence of immigration judges by taking away their ability to administratively close cases – essentially, pause proceedings for a variety of reasons – when they deem it appropriate. This is a perfect example of why immigration courts should not be operated by the Justice Department, but should be separate and independent from the executive branch."

But for groups who wish to see a reduction in immigration, and stricter immigration policies, the move is a step forward and a promise fulfilled by the Trump administration.

"The attorney general is trying to retrieve aliens irrevocably 'lost in space' by ensuring that a court date finally arrives," said Dan Stein, president, Federation for American Immigration Reform, in an email to Courthouse News. "This helps restore credibility to our court system."

No One Is An 'Animal'

By E.J. Dionne Jr.

[Washington Post](#), May 20, 2018

It's never right to call other human beings "animals." It's not something we should even have to debate. No matter how debased the behavior of a given individual or group, no matter how much legitimate anger that genuinely evil actions might inspire, dehumanizing others always leads us down a dangerous path.

This is why we need to reflect on the controversy over exactly whom President Trump was referring to as "animals" during a roundtable discussion last week at the White House with state and local officials from California on so-called sanctuary laws.

On its face — and this is certainly how Trump wants us to view things — this is an argument about whether the media distorted his intent by reporting what he said out of context.

But Trump is responsible for this problem precisely because he systematically obliterates any distinctions between the overwhelming majority of immigrants who are law-abiding and the violent minority among the foreign-born.

The slippery inexactness of Trump's language is often ascribed by his detractors to the deficiencies of his verbal skills and his lazy tendency to return again and again to the same stock words and phrases. Trump's admirers frequently cite his use of colloquial language as key to his success in convincing so many that he is not a traditional politician. After all, the way in which he uses the word "animals" is drawn from common street-corner or barroom talk. It's not a usage he invented.

But both of these innocent explanations underestimate Trump's gift for using incendiary words that send clear messages to his supporters. He is brutally calculating in finding ways of casting large groups of people as undeserving of dignity. Dehumanizing those he and his core constituents see as radically different is central to Trump's project.

The White House event where Trump made the comment was a gathering last Wednesday of California officials opposed to what Trump, in his introductory remarks, called "deadly and unconstitutional sanctuary state laws." They offered, Trump said, "safe harbor to some of the most vicious and violent offenders on Earth, like MS-13 gang members, putting innocent men, women and children at the mercy of these sadistic criminals."

Trump's use of "animals" came in response to Margaret Mims, the sheriff of Fresno County, who spoke of the problems created for local law enforcement by the conflict between federal laws and California's sanctuary laws. Not being able to cooperate fully with federal immigration officials, Mims argued, made efforts "to find the bad guys" far more difficult.

In a follow-up, Mims elaborated that "there could be an MS-13 gang member I know about" and that "if they don't reach a certain threshold," under the state's law, "I cannot tell ICE [Immigration and Customs Enforcement] about it."

This is when Trump declared: "You wouldn't believe how bad these people are. These aren't people. These are animals. And we're taking them out of the country at a level and at a rate that's never happened before."

The New York Times and some other media outlets tweeted that Trump had used the "animals" reference about unauthorized immigrants generally and did not make mention of Mims's invocation of MS-13. Trump's claim is that it should have been obvious that he meant only MS-13 members. In a Friday tweet, he proclaimed that "Fake News got it purposely wrong, as usual."

Here's what's insidious about this: Throughout his presidential campaign and since, Trump has regularly blended talk about all immigrants with specific attacks on immigrants who committed serious crimes — particularly those who belong to the murderous MS-13. Even assuming that Trump was, in fact, limiting himself to MS-13 in his reply to Mims, he has spent years creating rhetorical links between

the foreign-born as a whole (especially those here illegally) and the bloodshed perpetrated by the few.

By playing fast and loose with language, Trump avails himself of escape hatches, as he did last week, and can then go on to cast his critics as defenders of criminality.

No one wants to be put in a position of seeming to say anything good about gang members. Yet Trump's strategy of dehumanization must be resisted across the board. We cannot shy away from what history teaches. Pronouncing whole categories of people as subhuman numbs a nation's moral sense and, in extreme but, unfortunately, too many cases, becomes a rationale for collective cruelty.

What's not fake news is Trump's refusal to take responsibility for using words quite deliberately to enrage, degrade and divide. In doing so, he debases and dehumanizes all of us.

The Battle Over Illegal Immigration Will Be Won Or Lost With Employers

By Nicholas Waddy

Daily Caller, May 20, 2018

Recently, U.S. Immigration and Customs Enforcement (ICE) has stepped up its enforcement of U.S. immigration laws. More and more raids are targeting illegal immigrants, especially dangerous criminals, and sometimes these raids occur in the illegal immigrants' workplaces, much to the chagrin of "sanctuary" mayors and governors. However, the fact is that these raids are still few and far between. The number of illegal immigrants in the United States has barely budged.

President Donald Trump and many Republicans are apt to focus on the need for a wall on our southern border. The problem, though, is that even a wall will not solve the problem of illegal immigration. This is because many illegal immigrants, and possibly most of them, don't hop the border in the first place. They come to the U.S. as tourists, or on student or temporary work visas. And then they never leave.

Once an illegal immigrant enters the country or becomes illegal because of visa status, the average wait time for a hearing in our immigration courts is 718 days even if he/she is eventually identified by federal authorities! This means many illegal immigrants are simply released pending a hearing, and few of them choose to show up when their day in court arrives. In so many ways, therefore, the traditional immigration enforcement system is hopelessly broken. Merely expanding it won't fix the problem.

As many in ICE realize, the ultimate draw for many illegal immigrants is the ability to work. Around 8 million illegal immigrants work for U.S. companies, large and small, and it is abundantly clear that most of these firms believe they can violate immigration laws and labor laws with impunity. It's easy to see why: very few employers are ever punished for

hiring illegals, and very few companies pay fines (even laughably small fines) for doing so. The result is that America is open for business, vis-a-vis illegal immigrant workers.

Why has this problem been allowed to fester? To Democrats, in essence there is no such thing as an illegal immigrant. There are only "immigrants." Republican elected officials, though, are equally unlikely to tackle the illegal immigration problem at its source — with employers — because of their pro-business attitudes. In addition, Republicans are generally afraid that any serious effort to enforce immigration laws will result in accusations of "racism!" The end result is what amounts to a tacit conspiracy in Washington, D.C. to ignore the issue.

The presidency of Donald Trump represents the best opportunity our country has had since the 1950s to tackle the problem of illegal immigration. To do so, however, we cannot afford to target only the illegal immigrants themselves. We also need to target the government agencies, non-governmental organizations and businesses that facilitate illegal immigration. As I have argued before, this means prosecuting public officials who implement "sanctuary" policies. It should also mean the prosecution of NGOs that harbor illegal immigrants. Where the rubber meets the road, though, is with employers.

Every year, hundreds of workplaces are raided by ICE, and millions of dollars in fines are meted out to employers. Under President Trump, these enforcement actions are multiplying, but given the scale of the private sector economy — and the sheer numbers of illegal immigrants employed — this traditional approach simply won't yield significant results. What is needed is a change in the culture of American business. As it stands now, frequently U.S. companies are more afraid of liberal activists than they are of federal authorities. This is outrageous.

Two simple steps could turn this situation around. First, ICE should reward informants who provide tips about employers who routinely hire illegal immigrants. The flow of intel that this unlocks could be used to prosecute hiring managers who knowingly violate the law. Such white-collar criminals should face serious jail time. The mental calculus of hiring managers and HR departments across America would change overnight if this tactic were utilized.

Secondly, the fines assessed on companies violating immigration and labor laws need to be dramatically increased. If one were to add three zeros to the aggregate amount of fines collected by immigration authorities from U.S. businesses every year, one would undoubtedly change their attitudes and behavior. We would be hitting these rogue businesses where it hurts: their bottom line.

Whether an enforcement crackdown of the sort proposed here will emerge is uncertain. As vigorous as the Trump administration has been when it comes to tracking down and deporting criminal illegal aliens, it has shown

remarkable restraint in other respects, and it has shown little appetite for making U.S. companies pay a price for their complicity in illegal immigration. If we want to end illegal immigration once and for all, however, it's clear that not only illegal immigrants, but also their enablers, need to face justice. ICE understands this.

President Trump may not, as yet, understand it. But let us hope he will come around.

Nicholas L. Waddy is an associate professor of History at Alfred State, the State University of New York College of Technology.

Enforcing Trump's Immigration Plan Will Be Harder Than He Thinks

By Nolan Rappaport

The Hill, May 20, 2018

Trump inherited a number of immigration enforcement problems from the Obama administration, the most serious of which was an immigration court backlog that has prevented him from using removal proceedings to reduce the size of the undocumented alien population.

His solution seems to be to heed the advice of Mitt Romney, who said, when asked about reducing the population of undocumented aliens during a debate in 2012:

"The answer is self-deportation, which is people decide they can do better by going home because they can't find work here because they don't have legal documentation to allow them to work here."

But Trump is using harboring prosecutions to discourage people from helping undocumented aliens to remain here illegally in addition to enforcing employer sanctions to discourage employers from giving them jobs.

Neither is likely to be successful.

The backlog.

As of March, 2018, there were approximately 350 immigration judges, and the immigration court had 692,298 pending deportation cases.

Most of the pending cases are for undocumented aliens who were taken into custody by Customs and Border Protection (CBP) near the border after making an entry without inspection or at a Port of Entry when they requested an asylum hearing.

Deporting the aliens in this group who do not establish eligibility for relief from deportation will prevent them from increasing the undocumented alien population, but it won't reduce the size of that population. That requires removal of aliens who are living in the United States, i.e., interior enforcement, which is handled by Immigration and Customs Enforcement (ICE).

But the backlog has made it difficult to get removal hearings for the undocumented aliens ICE arrests, which has resulted in fewer and fewer arrests.

ICE deportations have dropped by almost 50 percent in the last five years, and Trump has not been able to reverse this trend.

Harboring prosecutions will help, but the cost may be too high.

To convict someone of harboring, the government must establish that the defendant concealed, harbored, or shielded an undocumented alien from detection.

Punishments range from a fine and/or up to a year in prison to a death sentence.

Harboring prosecutions can make landlords, employers, humanitarian organizations, etc., afraid to become involved with undocumented aliens. According to the ACLU, even church congregations may be vulnerable.

But this could have dire political consequences if American citizens and Lawful Permanent Residents who were just trying to be good Samaritans are incarcerated.

Employer sanctions.

The Immigration Reform and Control Act of 1986 established employer sanctions to eliminate the "job magnet." This might have worked if the sanction provisions had been implemented effectively, but that didn't happen.

Nevertheless, Trump has ramped up arrests of business owners who employ aliens that have not been authorized to work in the United States.

Apparently, no one has told him that he doesn't have the resources to support a surge in employer sanction cases.

Employers facing employer sanction charges have a statutory right to a hearing before an Administrative Law Judge (ALJ), and according to footnote number 124 in GAO's June 2017 report on immigration courts, there was only one ALJ for these cases when the report was prepared. The number was increased to three before the end of the year, which still was grossly inadequate.

According to Census Bureau Statistics, there were 5,707,941 employers in the United States in 2012, and that number surely has increased in the last six years.

Apparently, James McHenry was one of the ALJs. He is the director of the Executive Office for Immigration Review (EOIR) now.

EOIR manages the immigration judges who are struggling with the backlog crisis. It also manages the Office of the Chief Administrative Hearing Officer (OCAHO), which is in charge of the ALJs who adjudicate employer sanction cases at the trial level and the appellate judges who review appeals from the ALJ decisions.

OCAHO ALJs handle three types of cases:

Knowingly hiring unauthorized aliens or failing to comply with employment verification requirements; Immigration-related unfair employment practices; and Immigration-related document fraud.

Proceedings before OCAHO begin when ICE discovers apparent violations during a worksite investigation and issues

a Notice of Intent to Fine to the employer, which describes alleged violations and proposed fines. The employer must choose either to pay the fine or to request a hearing.

Previous administrations apparently were not interested in enforcing employer sanctions. There were very few cases before Trump became the president.

OCAHO completed 77 cases in in FY 2015 and 56 in FY 2016.

And it wasn't much better in previous years.

Conclusion.

If Trump doesn't find more promising enforcement measures, historians familiar with Macbeth may say that his "hour upon the stage" just amounted to "sound and fury, signifying nothing."

Nolan Rappaport was detailed to the House Judiciary Committee as an executive branch immigration law expert for three years; he subsequently served as an immigration counsel for the Subcommittee on Immigration, Border Security and Claims for four years. Prior to working on the Judiciary Committee, he wrote decisions for the Board of Immigration Appeals for 20 years.

Editorial: The Trump Administration's War On Immigrants Heats Up

San Francisco Chronicle, May 19, 2018

The Trump administration has made no secret of its animus toward undocumented immigrants, and now there are numbers to back it up.

On Thursday, Immigration and Customs Enforcement's California office announced that, from October through March, it had arrested more than 3,400 undocumented immigrants who weren't facing criminal charges.

That's a huge increase from the same period a year earlier, which includes the final three months of President Barack Obama's term. During that previous period, the agency's California offices arrested about 1,000 "noncriminal" undocumented immigrants.

The same trend is playing out across the country. ICE arrested more than 26,000 noncriminal undocumented immigrants during the first six months of the fiscal year, compared with a little more than 13,000 arrests of similar immigrants during the same period a year earlier.

But California has come in for special scrutiny under President Trump and acting ICE director Thomas Homan. President Trump's meeting with conservative California officials last week — when he referred to some undocumented immigrants as "animals" and threatened criminal charges against Oakland Mayor Libby Schaaf for alerting the community to a potential ICE raid — was only the latest dreadful example of many.

The Trump administration is outraged over California's new sanctuary state law. It's not at all outrageous for

California's leadership to decide that the best use of our local law enforcement resources is fighting crime, not searching for noncriminal undocumented immigrants for ICE to arrest.

While ICE's California office was unveiling its new arrest numbers, U.S. Attorney General Jeff Sessions was announcing a new policy barring immigration judges from putting deportation cases on hold.

Never mind that the "administrative closure" procedure has been used in hundreds of thousands of cases for immigrants who were designated low priorities for deportation.

All undocumented immigrants, it seems, are high deportation targets for this administration. That's bad for our nation's economy, and it's bad for the social fabric of our communities. California must continue to insist on the right to use our resources as we see fit.

CRIMINAL INVESTIGATIONS

U.S. Agents Raid 17 Homes Across Puget Sound In Black-market Weed Investigation

By Jessica Lee

Seattle Times, May 18, 2018

Investigators believe at least three people used money wired from China to pay for some of the homes to build a complex, illegal marijuana organization and ship pot to the East Coast.

Federal agents are looking for two men suspected of leading an international crime operation using hundreds of thousands of dollars wired to the U.S. from China for growing massive amounts of illegal marijuana in 17 homes across Puget Sound, authorities announced Friday.

The search follows the arrest of a Seattle woman, 37-year-old Xiamin Huang, who investigators say partnered with the men — her husband and his brother — to use money from China to create a sophisticated growing organization, U.S. Attorney Annette L. Hayes said. Huang and the men, named Qifeng Li and Qiwei Li, have been charged with crimes of conspiracy to manufacture and distribute marijuana.

In a news release Friday, Hayes said the trio grew pot in the Pacific Northwest to ship to the New York City area "to take advantage of black market prices." Investigators believe a commercial property in New Jersey was also involved in their crimes.

The raids and arrest come after a push by U.S. Attorney General Jeff Sessions for authorities to reconsider pot policies on a wide scale nationwide, though it is unclear if or to what extent the investigation is part of that broad scheme.

Using search warrants Wednesday, agents seized more than 3,000 marijuana plants at the homes in the cities of Seattle, Burien, Kent, Tacoma and Renton the attorney's

office said. They also recovered business records and special equipment, such as water tanks and lights, for growing marijuana.

"Large wire transfers of funds" from the People's Republic of China paid for some of the homes, the release says. Agents are still investigating the money's source.

Beyond the home searches, investigators analyzed evidence including emails, bank account information and "unusually high" electric bills to make their case, the attorney's office said. The federal Drug Enforcement Administration and Department of Homeland Security are leading the probe.

The suspects allegedly made payments of more than \$37,000 for electricity in a three-month period at one property alone and used cash to avoid bank reporting, according to a complaint outlining the authorities case against Huang, Qifeng Li and Qiwei Li. Other people may have had a hand in the alleged crimes, too.

Among other points in the complaint to substantiate the criminal charges, law-enforcement officers at one point followed Qiwei Li driving a Mercedes-Benz from a home to a parking lot in Renton, where they say he handed two large boxes to a man, who then drove to a post office to ship the packages to Brooklyn, New York.

Authorities determined Huang to be a flight risk, or someone who they believe may leave the U.S. before a trial or bail hearing, and took her into custody. No further information on Qifeng Li and Qiwei Li was immediately available.

Hundreds of federal and local law-enforcement agents conducted a similar seize across roughly 100 Northern California houses purchased with wired money by a Chinese-based crime organization last month. It is unknown whether or not that series of events is connected to the Puget Sound investigation.

Information from The Associated Press contributed to this report.

Two Decades Later, Pastor Charged With Sexual Assault Of Boy In Evanston Hotel

Chicago Sun-Times, May 20, 2018

A former Catholic priest with Chicago ties is facing criminal charges for the first time, nearly two decades after he resigned from his post amid several allegations of child sex abuse.

The case that eventually landed 56-year-old Kenneth Lewis in the Leighton Criminal Court Building on Saturday in Chicago stems from a decade-old allegation of child molestation in an Evanston hotel room, according to a police source in the northern suburb.

In that incident, "Father Ken," a former pastor in Tulsa, Oklahoma, is accused of sexually assaulting a 13-year-old

boy on a trip in late July 2001, in a hotel at 1501 Sherman Ave., the Evanston police source told the Chicago Sun-Times. The hotel at that address is now the Holiday Inn Chicago North.

The boy's parents filed a report with Tulsa police in June 2004, nearly three years after the alleged assault. Authorities in Oklahoma referred the case to Evanston police, and now, 14 years later, Lewis has been criminally charged in the case.

Evanston authorities submitted a felony charge in December 2017 to the Cook County State's Attorney's Office. Two days after Christmas, Cook County Judge Michael J. Hood issued a nationwide \$100,000 warrant for Lewis' arrest, court records show.

Though the former Tulsa pastor's permanent address has been in Arvada, Colorado, for the past three years, Lewis wasn't in the country until his arrest this month. From early July 2017 until May 8, Lewis was living in Ecuador, according to Cook County prosecutors. Lewis has been in the United States for less than 100 days since January 2017, prosecutors said. It's not clear why he was living for nearly a year and a half in the South American country.

In late March, U.S. officials were flagged when Lewis purchased a plane ticket from Ecuador to Atlanta, Georgia, according to the Evanston police source. When Lewis arrived in Atlanta on May 9, the U.S. Department of Homeland Security detained him, and he was brought back to the Chicago area nine days later.

On Friday morning, Lewis was taken into Evanston police custody and charged with one felony count of predatory criminal sexual assault of a child, the police source said.

At Lewis' initial court appearance on Saturday in front of Associate Judge Sophia Atcherson, a Cook County prosecutor's attempt to read the details of two additional charges of criminal sexual abuse with the same alleged victim were denied because the charges weren't filed in time for the hearing.

Atcherson executed the \$100,000 warrant and ordered Lewis to turn over his passport and stay in Illinois for the remainder of the case. She also ordered him to have no contact with the alleged victim or his family, and not to have any contact with any minors. A prosecutor's request to have Lewis placed on house arrest was denied.

A state's attorney's office spokeswoman said the new sexual abuse charges are expected to be filed this week in court. Lewis is scheduled to appear on Wednesday at the Second Municipal District Courthouse in Skokie.

Since the Saturday hearing, Lewis' family posted the \$10,000 bond required for his release, according to his private attorney Stephen M. Komie.

Komie said Lewis' family retained his services while Lewis was in custody in Evanston.

Lewis, who attended the St. Mary of the Lake Mundelein Seminary in north suburban Mundelein between 1987 and 1991, has faced an extensive history of sexual abuse allegations.

In 1994, Bishop Edward Slattery of the Catholic Diocese of Tulsa sent Lewis to treatment after he was made aware of several accusations stemming from the early 1990s, according to news reports at the time.

Authorities had investigated those claims, but they said they could not file charges because the statute of limitations in the cases had expired. As many as six victims had come forward with complaints against Lewis.

After Lewis finished treatment, Slattery allowed the pastor to return to active ministry in 1995 with an order not to spend time alone with children. Lewis served as an associate pastor at a number of Oklahoma churches before he was appointed pastor of St. John's Catholic Church in McAlester, Oklahoma.

Edward Slattery, former bishop of the Diocese of Tulsa, reassigned Pastor Kenneth Lewis to active ministry after he completed treatment amid several allegations of improper behavior with young boys. | AP Photo

In 2002, Lewis resigned from his position after diocese officials renewed investigations into claims that he improperly touched young boys in 1993 and 1994. In 2007, Lewis became the first pastor in the Tulsa Diocese to become laicized, or disallowed from further work as an ordained minister.

The same year, the parents of an alleged abuse victim filed a civil lawsuit in Chicago, accusing Lewis of molesting their son in 2001 at an Evanston hotel.

The case, filed anonymously under the names John Doe, Father Doe and Mother Doe, named Lewis, Slattery and the Tulsa Diocese as defendants.

After the accusations against Lewis were made public, Slattery still allowed Lewis to travel with the boy and his parents, who had flown to Chicago to look at potential colleges for their daughter, according to the Midwest director at the time of the Survivors Network of those Abused by Priests.

Court records show the lawsuit was withdrawn in July 2009, though it isn't clear whether the two parties had agreed to a settlement.

The attorney who represented the family in that case did not respond to a request for comment on Sunday. While details in the lawsuit were similar to the case in which Lewis is now charged, it was not clear whether the allegations in the suit stemmed from the same incident.

Though Lewis attended the seminary in suburban Chicago, a Chicago Archdiocese spokeswoman said at the time of the lawsuit that Lewis was never assigned in Chicago.

Komie, Lewis' attorney, said Lewis denies the "historical" allegations and that his family is "absolutely

behind" him. Lewis, who has not yet been arraigned or indicted, is expecting to enter a not guilty plea, Komie said.

Colorado Springs Man Tied To Asian Sex-slave Operation Gets 10 Years In Prison On Child Pornography Charges

Denver Post, May 18, 2018

A Colorado Springs man was sentenced to 10 years in prison after Homeland Security Investigations agents found 700,000 child pornography images including pictures depicting sadomasochistic sex abuse of preteen children.

Denver U.S. District Judge Christine Arguello on Thursday also sentenced 64-year-old Michael Lyle Blair to serve seven years of supervised release following prison. Arguello ordered him to pay \$21,000 in restitution to seven child victims.

Blair pleaded guilty to one count of possession of child pornography.

"Blair stole more than innocence with the 700,000 images he obtained. For years he left a trail of silent victims," U.S. Attorney Bob Troyer said. "With this sentence, those victims are finally heard. And Blair will pay every day for the next 10 years in federal prison."

Prior to his arrest in March 2017, HSI agents had been investigating Blair, his wife, Sona Blair, and other co-conspirators in a human trafficking network. They were bringing Asian females to the U.S. and forcing them into lives of prostitution. Sona Blair charged the women \$200 for transportation from Denver International Airport and then drove them to massage parlors where she forced them into prostitution, the Colorado Springs Gazette reported.

During a Dec. 12, 2013, search of the Blair's home they discovered a computer and external hard drives containing hundreds of thousands of child pornography in folders called "hardcore childporn" and "kinderporn."

Blair and Sona Blair, 58, were originally charged with multiple counts of trafficking adults in the sex trade in June 2013. In a plea deal with the El Paso County District Attorney's office, each of them pleaded guilty to one count of pimping. Blair and his wife were sentenced to four years probation.

Many of the pornography pictures were produced in foreign countries. Investigators also found hundreds of pages of text stories describing abductions and rape of children, court records say. In one series of photographs a prepubescent girl is tied up.

N.J. School Board President Gets Probation For Child Porn

NJ News, May 18, 2018

The former president of the Dunellen Board of Education was sentenced Friday to four years probation on charges he possessed child pornography.

Phillip C. Heiney, 69, pleaded guilty in February to third-degree possession of child pornography after authorities accused him of using a peer-to-peer file-sharing network to download and distribute images and videos of child pornography.

He was arrested on August 2016 by officials from the state Division of Criminal Justice and federal ICE Homeland Security Investigations division.

Prosecutors recommended he serve a six-month sentence in jail under a plea agreement, but Superior Court Judge Benjamin S. Bucca imposed a sentence of probation subject to conditions including therapy, no unsupervised contact with children and submission to monitoring of his electronic devices by probation officers.

"Anyone who contributes to the brutal sexual exploitation of children by collecting child pornography has no business overseeing the education of young students," said Attorney General Grewal in a statement announcing the sentence. "Thankfully, through our proactive investigative efforts, he was caught and brought to justice."

Authorities say State Police detectives who investigate child abuse online became aware of Heiney while monitoring file-sharing services for illicit images. An investigator allegedly downloaded two videos depicting the rape of young girls from a shared folder tied to Heiney's IP address, authorities said.

The state Division of Criminal Justice later received additional evidence from the Washoe County Sheriff's Office in Nevada, where investigators allegedly downloaded another video file from Heiney's shared folder, authorities said.

The video showed "an adult male engaging in a sexual act with a prepubescent girl who was blindfolded and bound with rope" as well as "sexually explicit conduct involving a dog and the bound girl," according to the Attorney General's Office.

"Like so many of these offenders, Heiney was living a double life, hiding his deviant criminal conduct behind a respectable front," Veronica Allende, the director of the Division of Criminal Justice, said in the statement. "These offenders come from all walks of life and often are exposed only when they are caught in the dragnet of our online investigations."

Authorities Seize \$300,000 Of Marijuana Products In Henderson

Las Vegas Sun, May 18, 2018

Authorities seized nearly \$300,000 worth of illegal marijuana products from a Henderson man's vehicle and home as part of an investigation into the sale of drugs to minors, according to Henderson Police.

After stopping the man's vehicle, Henderson and Metro police, along with federal agents, searched a residence Tuesday in the 800 block of Sheerwater Avenue, near Maryland Parkway and St. Rose Parkway, Henderson Police spokesman Rodrigo Pena said.

They seized more than 52 pounds of marijuana-infused edibles, like cookies, brownies and candies, 28 pounds of high-potency THC wax, 3,500 THC vaporizer cartridges, 1.7 pounds of marijuana flower and nearly 300 concentrated marijuana THC syringes, Pena said.

The man's name was not released because the case is pending indictment through the Clark County District Attorney's Office, Pena said. The man was not taken into custody.

While Nevada allows the sale of marijuana at licensed dispensaries, this type of bust confirms a robust black market still exists, said Riana Durrett, executive director of the Nevada Dispensary Association. Recreational marijuana sales became legal in Nevada on July 1, and with time, police will catch up with the illegal dealers, she said.

"Illegal dealers are essentially taking money out of the state's hands because they're not charging a tax," Pena said.

Tuesday's operation was conducted by the Southern Nevada Heroin Task Force and included Henderson and Metro police officers and agents from the federal Homeland Security Investigations department.

SECRET SERVICE

Who Is Jonathan Oddi, The Man Shot At Trump National Doral?

By David Ovalle And Charles Rabin

Miami Herald, May 18, 2018

Less than a year ago, South Africa native Jonathan Oddi proudly posed behind a backdrop of an American flag, touting his new citizenship. "God bless the USA finally an American!" he wrote on Instagram.

On Friday morning, he unfurled the American flag inside the South Florida hotel owned by the nation's president, then got into a firefight and chase with police while ranting about Donald Trump, Barack Obama — and bizarrely, rap mogul P. Diddy, according to law enforcement.

Investigators late Friday were still trying to unravel the motivations of Oddi, a 42-year-old fitness junkie and businessman who appeared to become unhinged while attacking the Trump National Doral Miami resort.

Oddi suffered police gunshots to the legs, and faces charges of attempted murder. Agents raided his nearby apartment to recover phones, electronics and other evidence that might reveal what led to the bizarre incident. SIGN UP

On social media, Oddi lists himself as a fitness instructor, real-estate investor and manager at Pegasus, a

business dealing in minerals and gemstones. He also had a very Miami side job — about five years ago, he was a regular stripper for Dancing Bear, a South Florida website that produced videos of raucous staged parties involving women performing sex acts on male dancers.

"He was pretty laid back," said one former dancer who performed alongside him. "He was a pretty decent guy. No real signs of anger management."

Oddi lived a few miles away at a rental complex, 8100 NW 53rd St. He was born in South Africa and is of Italian heritage.

Oddi used to be married to a South Florida lawyer, but the couple divorced amicably in 2014. He had a girlfriend who was out of the country during the attack, sources told the Miami Herald.

His numerous online public postings provide few clues to his motive and offer mixed political leanings.

On Instagram, he posted a meme from Turning Point USA, a right-wing conservative group. The meme contrasts a U.S. soldier with NFL quarterback Colin Kaepernick, who knelt during the national anthem to protest police brutality.

"colin worries he doesn't have a nfl career and kneels for popularity," Oddi wrote in his Oct. 26 Instagram post.

A look at his private Instagram account reveals scores of posts, most of them screenshots of news stories. Among them, accounts of singer Chris Brown being accused of rape, federal authorities pushing the death penalty for opioid dealers, and the downfall of movie mogul Harvey Weinstein.

His other posts tout cashews as a natural anti-depressant, seek justice for abused puppies, and quote from figures such as rapper Notorious B.I.G. and Confucius.

He fawns over first lady Melania Trump: "#flotus rocks! She sets the example of mannerism. She counters Trumps aggressiveness," he wrote in one post showing Melania Trump smiling in the White House.

Another post shows a Time magazine cover depicting Trump for a story about his troubles with porn star Stormy Daniels. "Reality is harsh," Oddi wrote.

And in another post, Oddi blasts the United States for "giving \$10.4 million every day" to Israel. "They have free healthcare and college. but we don't because we can't afford it!"

Oddi's record show no arrests in Miami-Dade County.

Longtime friend Luis David Gonzalez was on his way to Oddi's home with eggs and coffee when he learned of the shooting. He and Oddi worked out together every day at the LA Fitness in Doral. Gonzalez said Oddi is a dancer who has a small dog named Popo.

"I just wanted to see if he was doing fine," Gonzalez said. "I'm surprised and confused ... I knew him 10 years. He's a good person. I'm very surprised he did this."

Police Take Down Gunman Yelling 'Anti-Trump' Rhetoric At Trump National Doral Golf Club

By Morgan Winsor Briana Montalvo

ABC News, May 18, 2018

The man, armed with a handgun, was overheard yelling "anti-Trump" rhetoric and had draped a U.S. flag over a counter in the lobby of the Trump National Doral Golf Club, police said. He then fired shots into the ceiling and at chandeliers while apparently waiting for police to arrive, according to authorities.

Four officers from the Doral Police Department and one officer from the Miami-Dade Police Department responded to the incident after receiving a 911 call around 1:30 a.m. about an active shooter at the resort. Upon arrival, the officers exchanged gunfire with the suspect, police said.

The suspect was apparently trying to "lure" the officers into a "gunfight," Juan Perez, director of the Miami-Dade Police Department, told reporters this morning, though noting the man's "long-term intentions" were unclear.

"He did succeed and he did lose," Perez said at a news conference. "That's the bottom line."

The man, identified as Jonathan Oddi, 42, was shot multiple times by police and then taken into custody without further incident. He was transported to a nearby hospital where he is in stable condition, Perez said.

Oddi entered the U.S. in 1989 on a temporary visa as a visitor for pleasure, the Department of Homeland Security confirmed. He was originally from South Africa.

Investigators do not believe Oddi was a guest at the 800-acre golf resort in the city of Doral, about 15 miles northwest of downtown Miami. It's also unclear how he was able to enter the complex, Perez said.

One of the responding officers sustained an injury — "some broken bones," Perez said.

The unidentified officer was also taken to the hospital for treatment and is expected to make a "speedy recovery," he added.

No one else was injured in the incident.

"If not for the heroic efforts of the police officers that responded today, this individual would've caused a lot of harm," Perez told reporters.

Authorities said they have located the apartment in Doral where Oddi lives and are preparing a search warrant to comb through the home.

The U.S. Secret Service said it's aware of the shooting and has special agents on the scene working closely with law enforcement partners. No one under Secret Service protection was in the region at the time of the incident, the agency said.

The Trump National Doral Golf Club is not a Secret Service-protected facility, an official with the agency told ABC News.

The FBI is on the scene assisting its law enforcement partners in the investigation, FBI Miami special agent Michael Leverock told ABC News.

The incident is being investigated as a state crime, and the Florida Department of Law Enforcement is handling the investigation. The Miami-Dade Police Department, in partnership with the FBI and Secret Service, is tasked with investigating the intent and motive behind the incident.

Doral Resident Shouting 'Anti Trump' Rhetoric Shot In Police Firefight At Trump National Resort

South Florida Sun Sentinel, May 18, 2018

An armed man shouting rhetoric against President Donald Trump fired a handgun inside the Trump National Doral golf resort, in what authorities described as a type of ambush attack before he was arrested.

He was stopped by five police officers who shot at his legs, a police chief said.

The golf club in Miami-Dade County is owned by Trump's privately held company; the president wasn't there during the 1:30 a.m. incident.

Arrested was Jonathan Oddi, 42, a Doral resident who was hospitalized and was in good condition Friday afternoon. The only other reported injury was to a Doral police officer who may have broken his wrist.

A police chief said officers were called after Oddi pointed a handgun at staff and began shooting. Miami-Dade Police Director Juan Perez said Oddi apparently wanted to "engage our police officers — some type of ambush-type attack — trying to lure our police officers."

An officer from Miami-Dade police and four officers from Doral Police raced to the hotel at Northwest 36th Street and 87th Avenue and all five exchanged gunfire with Oddi, Perez said.

According to Miami-Dade Police, they responded just after 1:30am Friday at Trump National Doral, the golf and spa resort owned by President Donald Trump in northwest Miami-Dade. Police exchanged fire with a man who was firing shots, waving an American flag and yelling about President Trump.

In plotting the alleged ambush, Perez said, "He did succeed and he did lose."

Eric Trump, the president's son and executive vice president of the Trump organization, tweeted early Friday, "A huge thank you to the incredible men and women" of the departments, adding that "every day they keep our community safe."

The police agencies train together, and Perez credited that collaboration with a prompt end to the threat.

Hotel employees and guests were able to get away, and no one was hurt, police said. "If not for the heroic efforts of the police officers that responded here today, this individual would have caused a lot of harm," Perez said. "And he was not able to do that."

The police officers who fired their weapons were not identified.

Oddi's intentions beyond wanting to start a gunfight were not known, Perez said.

Rae Shearn, a criminal defense attorney and former chief state prosecutor, said she is representing Oddi, but it was too early to say much.

"I don't have all the facts," Shearn said. "I don't know what could have precipitated the event and I don't know what happened during the event. We're investigating and should have a clearer picture sometime next week."

Before the shooting began, Oddi removed an American flag from a pole at the rear of the complex, brought it into the hotel lobby and draped it over a counter, Perez said.

Oddi then began to yell out "anti-Trump" rhetoric.

What Oddi said was not yet known. He also set off a fire alarm "in efforts to cause further confusion," police said.

"As he did that, he waited for our police officers," Perez said. "He did begin to shoot inside the lobby, which prompted calls and curiosity from some of the people in the lobby. They were met with an individual with a handgun, who pointed it at them and proceeded to fire it into the roof and chandeliers of the hotel.

"He waited for our police officers in the front lobby to engage them," Perez said.

The officers exchanged gunfire with Oddi. "Our officers came up, engaged in practiced protocol and training, immediately went in and neutralized him."

The incident was recorded on video that Perez said would not be released right away.

Television news recorded the conscious suspect, handcuffed and barefoot on a gurney as Miami-Dade Fire Rescue wheeled him into Kendall Regional Medical Center in Miami.

Oddi received multiple wounds to his legs from the gunfire, Perez said.

Court records in Miami-Dade and Broward counties show no felony arrests for Oddi, but he did have a record of misdemeanor traffic offenses.

David Jiminian said he lives in Cordoba Phase II, the same complex where Oddi resides. Crime-scene tape marked off a driveway to the community and police cars were parked outside.

The Doral apartment of alleged shooter Jonathan Oddi, who was shot and arrested after the early morning incident at Trump National Doral, the golf and spa resort owned by President Donald Trump in northwest Miami-Dade, on Friday,

May 18, 2018. Amy Beth Bennett, Sun Sentinel (Amy Beth Bennett / Sun Sentinel)

Jiminian said he has seen Oddi entering and leaving his garage but has never spoken with him. He also said Oddi drove a new, tan Jeep Renegade.

"It's pretty crazy," Jiminian said. "It's scary that it's so close to home."

Jiminian added that he had never noticed anti-Trump bumper stickers on Oddi's SUV.

Outside of Oddi's apartment, Luis David Gonzalez was bringing his gym buddy breakfast, unaware that he was in custody and accused of causing mayhem at the resort.

"He's a regular guy," Gonzalez said about his friend of more than a decade. "I'm surprised he did that."

Asked if Oddi was angry about the president, the government or talked about weapons, he said, "No."

"Why he should have opinions about Trump?" Gonzalez said. "He's the president of the United States. He's the right guy for the job. We just talk about the gym, that's it."

The two men work out seven days a week at an L.A. Fitness. Oddi was born in South Africa and grew up in Argentina, where his family lives, according to Gonzalez.

"He got me in shape," Gonzalez said about Oddi.

He described his friend as an entertainer and dancer but would not say where he performed.

Oddi didn't want to go to the gym Thursday and stayed home with his dog, Bobo. Gonzalez said Friday he was checking up on him and brought him eggs and coffee.

"Yesterday he was feeling bad," Gonzalez said, declining to elaborate further.

"He told me he was feeling bad, that's what he told me, but I never thought he was gonna do something like that," Gonzalez said. "Basically I cannot discuss what's wrong with him. I'm just his friend."

Shearn, Oddi's lawyer, said she could confirm only that he was interested in body building and body sculpting.

The Florida Department of Law Enforcement will investigate the shootings by the officers, which is a standard practice.

Miami-Dade police, along with the U.S. Secret Service and the FBI, are investigating Oddi's motives and whether his actions are connected to any federal investigations. Perez said that so far, the incident was not considered an act of terrorism.

Investigators were preparing a search warrant to go into Oddi's Doral home. They had to make sure there were no booby traps in his residence or car and briefly removed other residents from their homes for their safety, Perez said.

Doral Mayor Juan Carlos Bermudez praised Perez and Doral Police Chief Hernan Organvitez for having their departments train together.

"This response was seamless," Bermudez said. "Luckily no employees and none of the individuals staying at the hotel

had any injuries of any kind. I also want to send out our regards to our police officer who injured his wrist and is recuperating.

"We are a very safe community so normally I don't have to do this very often," Bermudez said.

The golf resort previously known as the Doral Resort & Spa was purchased by the Trump Organization in 2012. Its signature course is known as the Blue Monster.

The resort has an expansive clubhouse and spa and is among the largest hotels in the Miami suburb that is about 8 miles from Miami International Airport.

Its website describes it as an 800-acre resort with 643 guest rooms, more than 100,000 square feet of event space and four golf courses.

In June 2016, the PGA Tour announced that the prestigious World Golf Championship that had been held there since 2007 would relocate to Mexico.

The announcement infuriated then-candidate Trump, who called the move to Mexico a "sad day for Miami, the United States and the game of golf." Trump said in a Fox News interview with Sean Hannity, "I hope they have kidnapping insurance."

PGA Tour Commissioner Tim Finchem said then that the move had nothing to do with politics, only finances. Cadillac did not renew its title sponsorship of the event, and another sponsor that wanted to be at Doral could not be found, Finchem said.

Man Arrested After Exchanging Fire With Cops At Trump Resort

CBS News, May 18, 2018

Police responding overnight to a call of an active shooter at President Trump's golf resort in Doral, Florida, engaged in a shootout with a man and ended up taking him into custody with gunshot wounds. Miami-Dade Police Director Juan Perez said at a news conference early Friday morning that the man was found "actively shooting" in the lobby of Trump National Doral Miami resort, making anti-Trump statements.

At a press conference later in the morning, police identified the man in custody as Jonathan Oddi, 42, of Doral.

One officer sustained a broken wrist during the altercation, but nobody else, apart from the shooter, was wounded. The man in custody was not identified, and his motive remained unclear later Friday morning.

A man identified as the suspect in a shootout with police at Trump National Doral Miami golf club is wheeled out of an ambulance at a Miami, Florida hospital, early on May 18, 2018.

The emergency call came in at approximately 1:30 a.m. Eastern time and Doral Police Department officers responded

with assistance from the Miami-Dade Police department. They confronted the subject immediately and exchanged fire.

The man was "neutralized and taken into custody without further incident," the police said, adding that the subject "is believed to have been shot multiple times in lower extremities." Video obtained by CBS News shows the man being taken out of an ambulance at a Miami hospital awake and seemingly alert.

CBS News correspondent Manuel Bojorquez reports that police believe the suspect tried to lure law enforcement officers to the scene, and a fire alarm was set off prior to their arrival.

Police said there was gunfire before officers got to the resort.

A police cruiser is seen in front of the Trump National Doral Miami golf resort in Miami, Florida, where a man was arrested after exchanging gunfire with responding officers early on May 18, 2018.

Police said the man was using a semi-automatic handgun, but they did not provide any further details.

In addition to the local police, officials from the Department of Homeland Security and the Secret Service were on the scene. The FBI was also involved in the investigation.

In a statement, the U.S. Secret Service confirmed Friday that Special Agents from the Miami Field Office were "on the scene and working closely with our law enforcement partners."

The Secret Service added that no "protectees were in the Miami region at the time of the incident."

Gunman Shouting Anti-Trump Slogans Arrested At Miami Resort

Reuters, May 18, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Man Shot After Confrontation With Police At Trump Resort In Miami

NBC News, May 18, 2018

A man ranting anti-Donald Trump rhetoric was wounded in a shootout with police early Friday at a Miami-area golf club owned by the president, authorities said.

The suspect — later identified as Jonathan Oddi, 42 — was taken to the hospital for multiple wounds to his legs, Miami-Dade Police Director Juan Perez said at a news conference.

A motive was not immediately known, but Oddi came to the Trump National Doral Golf Club with an "ambush-type attack" in mind, Perez said.

Oddi, a resident of the small South Florida city of Doral, first yanked an American flag from the rear of the complex and then snuck into the resort through a back entrance before 1:30 a.m. ET, police said.

He made his way to the lobby, where he allegedly draped the flag over the counter and witnesses said he yelled disparaging sentiments about Trump, according to police.

The witnesses told cops the suspect had a handgun, and began pointing it at people before firing into the resort's roof and at the chandeliers.

Perez said Oddi also pulled a fire alarm and then waited.

"I feel like he was trying to lure the police department to come in there," he added.

Miami-Dade and Doral police responded to the scene after receiving calls of an active shooter.

Trump was in Washington at the time.

The officers were able to stop the gunman during a shootout, with five officers firing their weapons, striking Oddi in the legs, Perez said. A Doral officer suffered a broken arm at the scene, but was expected to be OK.

A huge thank you to the incredible men and women of the @DoralPolice Department and @MiamiDadePD. Every day they keep our community safe. We are very grateful to you!

"You know, these officers did not hesitate one second to engage this individual that was actively shooting in the lobby of the hotel," the police director added. "They risked their lives knowing that that they had to get in there to save lives in that hotel."

Miami-Dade police said they were working with the FBI and Secret Service as part of the investigation into Oddi. Specific charges against the man were not immediately announced.

Investigators also searched Oddi's home and car, but Perez said there was no evidence of booby traps.

Perez said officers' "heroic" actions in stopping the gunman helped to prevent what could have been a deadly tragedy.

As day was breaking Friday, the large golf facility in the growing suburb was surrounded by a heavy police presence and news helicopters hovered over the scene. The entrances were blocked, and yellow caution tape was stretched across the main gate. A Miami-Dade crime scene truck was parked inside the gate.

The golf resort previously known as the Doral Resort & Spa was purchased by the Trump Organization in 2012. Its signature course is the Blue Monster at Doral.

The Trump National Doral, which includes several buildings for lodging and an expansive clubhouse, is among the largest hotels in the Miami suburb. It's about 8 miles from Miami International Airport.

Its website describes it as an 800-acre resort with 643 total guest rooms, more than 100,000 square feet of event space and four golf courses.

Gunman Arrested At Trump Resort In Florida After Opening Fire, Yelling 'Anti-Trump Sentiment'

Fox News, May 18, 2018

A man who police say was yelling "anti-Trump sentiment" was arrested early Friday after exchanging gunfire with officers in the lobby of a hotel at a sprawling golf resort that the president owns near Miami.

Yellow caution tape was seen stretched across the main gate of the Trump National Doral Golf Club Friday morning following the overnight rampage, in which the shooter, identified as 42-year-old Doral resident Jonathan Oddi, burst into the property for unknown reasons and draped an American flag over a lobby counter while spraying bullets.

"This guy was ready for war, he was waiting for our officers to come in," Miami-Dade Police Director Juan Perez told Miami radio station 610 WIOD.

Perez said Oddi was "yelling and spewing some information about President Trump." Although the exact words were unclear, Perez said it was an "anti-Trump sentiment" and the Oddi "had an American flag that he did drape over the counter."

Police say Oddi had taken the flag from the property and was firing a handgun at chandeliers and the roof of the lobby.

Oddi eventually was "neutralized" in a shootout with officers, suffering multiple gunshot wounds to the legs, but he currently is in stable condition at a local hospital, police added.

"It appears he was trying to engage our police officers... in some type of ambush-style attack," Perez said. "He prepared the area for battle."

Doral and Miami-Dade officers said they were called to the scene around 1:30 a.m. local time after receiving reports of an "active shooter" and immediately jumped into the fray.

"In my opinion, they probably saved a hell of a lot of lives today, because this could have gone a lot worse," Perez told 610 WIOD.

Eric Trump hailed the officers' response in a Twitter post Friday morning.

"A huge thank you to the incredible men and women of the @DoralPolice Department and @MiamiDadePD," he wrote.

Perez also said a Doral officer suffered a broken wrist, but he is expected to be OK.

The Secret Service says it is on scene and helping in the investigation.

"The U.S. Secret Service is aware of shooting that took place early this morning at the Trump National Doral Golf Club in Doral, FL," it said in a statement. "Special Agents from the Miami Field Office are on the scene and working closely with our law enforcement partners."

Authorities also said they are not ruling out terrorism. Police told WPLG that the suspect repeatedly called 911 and was actively shooting in an attempt to draw authorities inside.

The golf resort previously known as the Doral Resort & Spa was purchased by the Trump Organization in 2012. The massive property has four courses – its most signature being the Blue Monster, which has hosted numerous PGA Tour and World Golf Championships events featuring the world's top golfers.

Court records in Miami-Dade and Broward counties show no felony arrests for Oddi, but a slew of misdemeanor traffic infractions.

David Jiminian told the Associated Press he lives in Cordova Phase II, the same gated complex where Oddi lives. Crime-scene tape marked off a driveway to the community and police cars were parked outside.

Jiminian said he has seen Oddi entering and leaving his garage but has never spoken to him. He also said Oddi drove a new sand-colored Jeep Renegade.

"It's pretty crazy," Jiminian said. "It's scary that it's so close to home." Jiminian added that he had never noticed any anti-Trump bumper stickers on Oddi's vehicle.

Police Shoot Jonathan Oddi Firing Shots At Trump National Doral

Miami Herald, May 18, 2018

A gunman ranting about President Donald Trump walked into the lobby of Trump National Doral Miami resort, draped an American flag on the counter and began firing in the air — leading cops to shoot him in the legs in a bizarre firefight early Friday that drew a massive law-enforcement response.

The man, Jonathan Oddi, a 42-year-old fitness enthusiast who has a small dog named Popo, was hospitalized and is expected to face an array of criminal charges, including attempted murder of law-enforcement officers. No one at the resort was wounded, although a Doral police officer broke his wrist during the confrontation.

Federal investigators and Miami-Dade police detectives are now trying to figure out what drove Oddi, a South Africa native who became a U.S. citizen in August, to storm into the hotel's main building just before 2 a.m. Friday. The shooting unfolded at the sprawling West Miami-Dade resort, which was bought by the Trump Organization in 2012 and previously hosted the popular World Golf Championships-Cadillac Championship.

The resort is supposed to host an annual gala for Miami-Dade's police union on Saturday. SIGN UP

"We don't know what his intentions were," Miami-Dade Police Director Juan Perez said. "It was some type of ambush attack. He did succeed — and he did lose. We were immediately able to neutralize the threat."

A law-enforcement source said that as he was being arrested and taken to the hospital, Oddi also was spewing about former President Barack Obama and rap mogul Sean Combs.

"He doesn't like Obama. He doesn't like Trump. And, apparently, he doesn't like P. Diddy," the source told the Miami Herald.

Authorities do not believe Oddi has any ties to terrorism. One theory is that the attack was an attempt at so-called suicide-by-cop.

Investigators on Friday afternoon were still reviewing witness accounts, surveillance videos and police body-cam footage. This is what they know, so far:

Oddi, who lived at a rental apartment complex about a mile from the resort, entered the property, likely on foot, sometime before 1:30 a.m. Detectives theorize he may have climbed a fence or entered through a back entrance.

On the property, he removed an American flag from a pole, then walked into the main lobby and began ranting "anti-Trump rhetoric" while draping the flag on the main counter, according to Perez. Witnesses said Oddi began ransacking the lobby and, when confronted by a security guard, pointed a gun at him and dared him to call police.

Employees called 911. The call went out as a possible aggravated assault.

As officers rushed to the hotel, Oddi began firing his semi-automatic pistol into the ceiling and chandeliers. A fire alarm went off. Five officers — four from Doral, one from Miami-Dade — ran onto the property and exchanged gunfire with Oddi through the lobby's glass doors, police said.

Oddi fired at the officers from behind a lobby counter, but then ran off and was struck in the legs. He led officers on a brief foot chase through the lobby and upstairs but was arrested without any more violence.

The shooting at a Trump property immediately drew attention from around the nation. The president's son, Eric Trump, tweeted his appreciation to the police departments involved in the shootout.

An array of federal agencies are investigating, including the Secret Service, which is tasked with protecting the president, as well as the U.S. Department of Homeland Security and the FBI. The Florida Department of Law Enforcement will investigate the police shooting, along with the Miami-Dade State Attorney's Office.

Armed with a search warrant, agents descended on Oddi's apartment to look for phones, computers and other evidence that might shed light on his motive.

Police: Fitness Buff Tried Ambush Attack At Trump Resort

By Jennifer Kay And Freida Frisaro
Jennifer Kay And Freida Frisaro

Yahoo! News, May 18, 2018

A fitness buff carrying an American flag and shouting about President Donald Trump stormed the hotel lobby of Trump's Miami-area golf resort early Friday and opened fire at a chandelier. He then waited for police to arrive, and exchanged gunfire with officers who shot him in the legs and arrested him.

The motive for the shooting at Trump National Doral Golf Club around 1:30 a.m. was not immediately clear, but Miami-Dade Police Director Juan Perez said the man pointed his gun at several people and shouted "anti-Trump" rhetoric before waiting for police to confront him.

"We don't know what his intentions were in the long term, but we know what he was doing at the time — he was trying to engage our police officers in some kind of ambush-type attack," Perez said.

In plotting the ambush, Perez added, "He did succeed, and he did lose."

One responding officer broke a wrist, but no resort employees or guests were hurt.

Trump was not at the suburban golf resort at the time.

Perez identified the suspect as 42-year-old Jonathan Oddi, who lives in a condo building about a mile (2 kilometers) away. He said Oddi took a flag from a flagpole at the resort and draped it over the counter in the lobby, where he pointed his gun at several people but only fired into the ceiling and light fixtures overhead until police officers arrived.

Oddi was expected to face various criminal charges. Video footage showed the conscious suspect being wheeled into a hospital on a gurney, and Miami-Dade Police spokesman Alvaro Zabaleta said Oddi remained hospitalized in good condition Friday afternoon.

Oddi's attorney, Rae Shearn, said her client was a fitness instructor. She said it was too early to say anything more. "I am conducting my own investigation and have no statement in regards to what occurred or what didn't occur or what may have precipitated that event," she said by phone.

Neighbors and patrons of a nearby gym said they often saw Oddi lifting weights, but rarely interacted with the beefy man beyond casual greetings.

"He was always in the gym," said Lina Diaz, who lives on the same floor as Oddi. "He seemed like a normal guy, nothing aggressive or weird."

Oddi's neighbors woke up Friday morning to police tape blocking a driveway to their building, and officers and media gathered at its entrances.

"You never know who is living next door to you. It is sad and shocking," Diaz said.

Oddi worked as a dancer and entertainer, owns a small dog, and was born in South Africa and grew up in Argentina, one friend, Luis David Gonzalez, told the Miami Herald and the Sun Sentinel newspapers.

Gonzalez, who said he worked out with Oddi every day, was bringing coffee and eggs to Oddi on Friday morning when he heard the news.

"I'm surprised and confused," Gonzalez said in a Herald interview. "I knew him 10 years. He's a good person. I've very surprised he did this."

Court records in Miami-Dade and Broward counties show a slew of misdemeanor traffic infractions for Oddi, but no felony arrests.

Eric Trump, the president's son and executive vice president of the Trump organization, tweeted early Friday, "A huge thank you to the incredible men and women" of the departments, adding that "every day they keep our community safe."

The Secret Service issued a statement saying its agents were at the scene and working closely with other agencies.

"No Secret Service protectees or security operations were impacted as a result of the shooting," it said.

The large Trump-owned golf facility in the growing suburb was surrounded by a heavy police presence, its entrances blocked with yellow police tape and by patrol vehicles throughout the day.

No resort employees or guests were injured, said Doral Mayor Juan Carlos Bermudez.

The Trump National Doral, which includes an expansive clubhouse, is among the largest hotels in the Miami suburb sandwiched between Miami International Airport and the Florida Everglades. Its website describes it as an 800-acre resort with 643 total guest rooms and four golf courses. The Trump organization purchased the resort in 2012.

In June 2016, the PGA Tour announced that the prestigious World Golf Championship hosted at the club since 2007 would relocate to Mexico. The announcement infuriated then-candidate Trump, who called the move to Mexico a "sad day for Miami, the United States and the game of golf."

PGA Tour Commissioner Tim Finchem said the move had nothing to do with politics, only finances. Cadillac did not renew its title sponsorship of the event, and no other sponsor wanting to be at Doral was found, Finchem said.

Federal Suspect Dies Following Shootout In Norman

By Mack Burke And Joy Hampton

Enid (OK) News & Eagle, May 18, 2018

NORMAN, Okla. — A suspect in a federal investigation was killed and a U.S. Marshall and Cleveland County

Sheriff's deputy were injured in a shootout Thursday in east Norman.

The suspect, whose name is being withheld at this time, had multiple federal warrants and was sought after by U.S. Secret Service.

According to officials, federal law enforcement officers from the Western District of Oklahoma's U.S. Marshals Metro Fugitive Task Force attempted to arrest the suspect at about 11:15 a.m. near the area of Post Oak Road and 108th Ave. SE. During the attempted arrest, officials said the suspect produced a long gun and fired multiple rounds at task force members, who returned fire, fatally wounding the suspect.

"The U.S. Marshals Task Force is made up of a number of different agencies, of which several of the task force members fired their weapons," U.S. Marshal Johnny Kuhlman said. "The U.S. Secret Service, it was their case, so we were assisting them in arresting this individual."

The U.S. Marshals Service and the U.S. Secret Service did not release the names of law enforcement officers involved and will not do so until the conclusion of all investigations surrounding the incident.

Norman police, Oklahoma Highway Patrol and Oklahoma City police officers also responded to the scene.

"We have a deputy assigned to the U.S. Marshals Task Force who received minor injuries during the shootout, was taken to the hospital, treated and released," Cleveland County Sheriff Todd Gibson said. "We continue to cooperate with the marshals investigation."

The U.S. Marshals also reportedly investigated a house near Britton Road and the Kilpatrick Turnpike in Oklahoma City in connection with the suspect.

The Oklahoma Highway Patrol and the Oklahoma City Police Department will conduct a joint investigation of the shooting, and authorities say more information will be made available in the coming days.

EMERGENCY RESPONSE

FEMA Chief To Local Officials: Don't Count On Federal Help Right Away After Disaster Strikes

By Pam Wright

Weather Channel, May 18, 2018

As hurricane season looms after a disastrous 2017 season, the Federal Emergency Management Agency chief is cautioning local communities to refrain from relying on the immediate aid of Uncle Sam after a natural disaster.

"If you're waiting on FEMA to run your commodities, that's not the solution," FEMA Administrator Brock Long said Wednesday at the annual Governor's Conference on Hurricanes in West Palm Beach, Florida. "I can't guarantee that we can be right on time to backfill everything you need."

Long's comments came on the heels of Florida Gov. Rick Scott's plea for prayers that the state is not hit by another hurricane after last year's onslaught, the Orlando Sentinel reports.

"Hopefully we won't have any hurricanes. It would be nice not to have, in my eighth year, any hurricanes," said Scott, who is running for Senate as his term as governor ends.

On Wednesday, Florida submitted a \$616 million request to the U.S. Department of Housing and Urban Development for ongoing Hurricane Irma recovery efforts, according to the News Service of Florida.

Long noted that 2017 was a particularly brutal year for FEMA because of the hurricanes, wildfires and even volcanic eruptions that stretched the agency thin. He noted that local authorities should have emergency plans in place.

"If you don't have the ability to do things such as provide your own food and water and your own commodities to your citizens for the first 48 to 72 hours, and I'm asking you to consider pre-event management concepts," Long said.

Long noted that with the start of the hurricane season just two weeks away, FEMA is not "going to back away" from threatened communities but encourages local governments to step up their own preparations for when disaster strikes.

Some of his recommendations include signing deals with private water bottlers and debris haulers ahead of disasters and "hardening local communications systems."

He also addressed the need to revamp the national flood insurance program, noting that 80 percent of homeowners in Houston didn't have flood insurance before Hurricane Harvey hit last year.

Army Corps To Leave Puerto Rico As Hurricane Season Approaches

By Ray Sanchez And Faith Karimi
CNN, May 18, 2018

With hurricane season less than two weeks away and thousands of Puerto Ricans still without electricity, the US Army Corps of Engineers on Friday officially halted its work to restore power lines downed by Hurricane Maria in September.

The Federal Emergency Management Agency said it had approved an extension of the Army Corps' oversight of more than 700 emergency generators across the island, including "the lease, generation and maintenance" of three "mega generators."

But the rebuilding of Puerto Rico's unreliable electrical grid, including restoring fallen power lines, will now be handled by the cash-strapped Puerto Rico Electric Power Authority, according to statement from FEMA.

The extension of the engineering corps' operation of emergency generators came at the request of the island's government, FEMA said.

Though the island's utility company on Friday reported that about 95% of its customers had power, at least 20,000 people still live in the dark following the worst blackout in US history.

The hurricane, the strongest to hit the US territory since the 1920s, left nearly 1.4 million customers without power. But the federal government said the Corps' work is done and that the power authority will assume oversight of contractors completing grid restoration efforts.

Charles Alexander, the Corps' director of contingency, was grilled by lawmakers during a hearing of the Senate Energy and Natural Resources Committee earlier this month.

"If there are over 20,000 Puerto Rican-American citizens still without power, is your mission really accomplished?" New Mexico Sen. Martin Heinrich asked.

"Our mission, as assigned by FEMA, is," Alexander said.

"I cannot imagine a scenario where twenty-plus-thousand Texans or twenty-plus-thousand Floridians, were without power and FEMA would make that decision," Heinrich said. "I think that's reprehensible."

Alexander later told lawmakers: "We run out of money on the 18th and we run out of authority. ... I would be remiss if I didn't say ... it's not in our culture to walk away from a mission when it hasn't been fully accomplished. But we follow orders."

Puerto Rico's representative in Congress, Jenniffer Gonzalez Colon, had requested continued government support as the island struggles to restore power before the next hurricane season starts next month.

"The federal support for Puerto Rico power restoration must continue until full completion," Colon tweeted this week, calling the Corps' pullout "alarming." She said there are still 20,000 homes without service, mostly in remote rural communities.

The fragility of the grid was evident last month when most of the island was left without power after a subcontractor's excavator steered too close to an energized line and an electrical ground fault caused a massive blackout.

Puerto Rico, home to more than 3 million US citizens, has grappled with widespread power outages for months since the storm.

Since the monster storm slammed into Caribbean territory in September more than 3.4 billion hours of electricity have been lost there, according to a recent report.

That makes it the second-longest blackout in world history, according to a report from the Rhodium Group, an economic research firm.

The blackout is already the worst in US history, beating out Hurricane Georges in 1998 and Hurricane Sandy in 2012.

The only blackout in world history bigger than Puerto Rico's is the one that came after Typhoon Haiyan devastated the Philippines in 2013. About 6.1 billion hours of power were lost after that massive storm.

Puerto Rico's power authority faced widespread criticism late last year for signing a \$300 million contract to restore power with Whitefish Energy Holdings, a small Montana-based firm with only two employees at the time.

The utility canceled the contract amid public outcry, and its executive director stepped down in November.

The Atlantic hurricane season lasts from June through November. This season could be a slightly above average one, according to a preliminary forecast.

FEMA Denies Contract Extension In Puerto Rico, Power Crews Head Home

By Adrian Florido
NPR, May 18, 2018

For more than a week, Puerto Rico's representative in Congress has been urging the Federal Emergency Management Agency to extend the contract under which mainland power crews have been helping repair the island's power grid.

On Thursday, FEMA denied that request, while approving a separate one by Puerto Rico's governor to maintain hundreds of emergency generators on the island. The decision means that Friday is the last day that line restoration crews hired by the U.S. Army Corps of Engineers will work to restore power in Puerto Rico, leaving the rest of the job to crews working for PREPA, the island's power utility.

The decision comes as about 16,000 homes on the island remain without power eight months after Hurricane Maria, according to power officials. That represents a little more than one percent of PREPA's 1.47 million customers.

Officials for PREPA and the Army Corps, the agency that hired the mainland contractors at FEMA's request, have said they expect everyone on the island to have power restored by May 31, a day before the official start of the Atlantic hurricane season.

But in her urgent request that FEMA extend the Army Corps mission, Rep. Jenniffer Gonzalez expressed doubts that PREPA had the resources to complete the job quickly.

"I must urge that there be an extension of the mission that allows agency and contract crews to remain in place to see that the system is 100 percent restored," Gonzalez wrote.

It appeared, however, that her request may not have been coordinated with PREPA itself.

In a letter, Mike Byrne, who is leading FEMA's response in Puerto Rico, said his decision not to extend the line restoration contract came "per the direction provided by the Energy Unified Command Group and confirmed by the PREPA Chief Executive Officer," Walter Higgins. The Energy

Unified Command Group is the multi-agency group coordinating the power restoration effort, comprising FEMA itself, the Army Corps, which reports to FEMA, and PREPA.

NPR requested a copy of the communications by which the Energy Unified Command Group directed FEMA not to extend the line restoration contract, but FEMA did not immediately provide them. A spokeswoman for Rep. Gonzalez did not immediately respond to a request for comment, nor did a spokesman for PREPA.

The Army Corps currently has about 700 line workers on the island whose work ends Friday.

In an earlier statement, PREPA said its own crews were prepared to take over where the departing crews leave off. In addition to its own line workers, PREPA has hired contracted crews through a nearly \$1 billion agreement with Cobra, a private mainland company.

Places still waiting for power are among the most difficult to reach because of mountainous and forested terrain. They include areas in the municipalities of Arecibo, Caguas, Humacao, and in Yabucoa, the city where Hurricane Maria made landfall.

COAST GUARD

Hawaii Lava Finally Reaches The Pacific – Only To Create Another Deadly Danger

By Holly Yan
CNN, May 20, 2018

First it was catastrophic lava. Then it was sulfur dioxide. Now Big Island residents have yet another danger to worry about.

Laze – a mashup of "lava" and "haze" – is a nasty product formed when hot lava hits the ocean, sending hydrochloric acid and volcanic glass particles into the air.

2 weeks after eruption, residents say it's getting worse

And now it's a real threat after lava crossed Highway 137 late Saturday night and entered the Pacific Ocean, the Hawaiian Volcano Observatory said.

Laze can cause lung, eye and skin irritation. And it has proven deadly in the past.

"This hot, corrosive gas mixture caused two deaths immediately adjacent to the coastal entry point in 2000, when seawater washed across recent and active lava flows," the HVO said.

Officials are warning people to stay away from areas where lava meets the ocean. But further inland, residents have other problems.

The HVO also reported sulfur dioxide emissions have tripled.

Because of lava entering the ocean, the US Coast Guard enforced a Lava Entry Safety Zone Sunday for the navigable waters around the Kilauea Volcano. A Coast Guard

news release says the safety zone includes all waters extending about 300 meters around the entry of the lava flow.

"All waterway users should be aware of the hazardous conditions associated with such an event. Getting too close to the lava can result in serious injury or death," said Lt. Cmdr. John Bannon, waterways management lead for the Coast Guard's Honolulu sector.

The Kilauea volcano erupted at least twice this weekend – at one point launching a cloud of ash up to 10,000 feet high.

An ash plume fills the sky last week at Hawai'i Volcanoes National Park.

"These eruptions caused a 5.0 magnitude and a 4.9 magnitude tremor at the summit," CNN meteorologist Haley Brink said.

"Additional explosive events that could produce minor amounts of ashfall downwind are possible at any time."

Since Kilauea's massive eruption May 3, Brink said, about 2,250 earthquakes have struck on or around Hawaii's Big Island.

As the Earth keeps shaking, liquid fire keeps flowing.

Lava picks up speed

Flaming rivers of molten rock have already destroyed at least 40 structures. But newer, fresher lava shooting out from fissures spell more danger.

How to help the Hawaii volcano victims

"The consistency of lava is now changing," CNN meteorologist Allison Chinchar said. "Now it is runnier, but that is allowing it to move faster."

The volcano has caused almost two dozen fissures to crack the Earth's surface open – purging fountains of lava and dangerous sulfur dioxide.

And some fissures refuse to die.

"A handful of old fissures have reactivated and joined together over the past few days," CNN's Scott McLean reported from Pahoa. "Lava is pouring out like a fountain ... feeding a fast-moving lava stream that's now reached the ocean."

A handful of old fissures have re-activated, and joined together over the past few days. Lava is pouring out like a fountain... feeding a fast-moving lava stream that's now reached the ocean. The pics will never do it justice though. #KilaueaVolcano #KilaueaErupts #Hawaii @cnn pic.twitter.com/IV0v0rJZrU— Scott McLean (@scottmclean) May 20, 2018

Resident Ikaika Marzo said the lava flow isn't just treacherous. It's like hell on Earth.

"It sounds like 10 or 20 jets taking off from your backyard at the same time," Marzo told CNN affiliate Hawaii News Now.

"It's been like hell," he said. "It's like huge grenades going off. It shakes the whole community."

Lava From Kilauea Volcano Enters Ocean, Creates Toxic Cloud

By Caleb Jones, Audrey McAvoy

Philly (PA), May 20, 2018

White plumes of acid and extremely fine shards of glass billowed into the sky over Hawaii as molten rock from Kilauea volcano poured into the ocean, creating yet another hazard from an eruption that began more than two weeks ago.

Authorities on Sunday warned the public to stay away from the toxic steam cloud, which is formed by a chemical reaction when lava touches seawater.

Further upslope, lava continued to gush out of large cracks in the ground that formed in residential neighborhoods in a rural part of the Big Island. The molten rock formed rivers that bisected forests and farms as it meandered toward the coast.

The rate of sulfur dioxide gas shooting from the ground fissures tripled, leading Hawaii County to repeat warnings about air quality. At the volcano's summit, two explosive eruptions unleashed clouds of ash. Winds carried much of the ash toward the southwest.

Joseph Kekedi, an orchid grower who lives and works about 3 miles (5 kilometers) from where lava dropped into the sea, said luckily the flow didn't head toward him. At one point, it was about a mile upslope from his property in the coastal community of Kapoho.

He said residents can't do much but stay informed and be ready to get out of the way.

"Here's nature reminding us again who's boss," Kekedi said.

Scientists said the steam clouds at the spots where lava entered the ocean were laced with hydrochloric acid and fine glass particles that can irritate the skin and eyes and cause breathing problems.

The lava haze, or "laze," from the plume spread as far as 15 miles (24 kilometers) west of where the lava met the ocean on the Big Island's southern coast. It was just offshore and running parallel to the coast, said U.S. Geological Survey scientist Wendy Stovall.

Scientists said the acid in the plume was about as corrosive as diluted battery acid. The glass was in the form of fine glass shards. Getting hit by it might feel like being sprinkled with glitter.

"If you're feeling stinging on your skin, go inside," Stovall said. Authorities warned that the plume could shift direction if the winds changed.

The Coast Guard said it was enforcing a safety zone extending 984 feet (300 meters) around the ocean entry point.

Coast Guard Lt. Cmdr. John Bannon said in a statement Sunday that "getting too close to the lava can result in serious injury or death."

Gov. David Ige told reporters in Hilo that the state was monitoring the volcano and keeping people safe.

"Like typical eruptions and lava flows, it's really allowing Madam Pele to run its course," he said, referring to the Hawaiian goddess of volcanoes and fire.

Ige said he was thankful that the current flows weren't risking homes and hoped it would stay that way.

On Saturday, the eruption claimed its first major injury. David Mace, a spokesman for the Federal Emergency Management Agency who was helping Hawaii County respond to the disaster, said a man was struck in the leg by a flying piece of lava. He didn't have further details, including what condition the man was in.

Kilauea has burned some 40 structures, including two dozen homes, since it began erupting in people's backyards in the Leilani Estates neighborhood on May 3. Some 2,000 people have evacuated their homes, including 300 who were staying in shelters.

In recent days, the lava began to move more quickly and emerge from the ground in greater volume. Scientists said that's because the lava that first erupted was magma left over from a 1955 eruption that had been stored in the ground for the past six decades. The molten rock that began emerging over the past few days was from magma that has recently moved down the volcano's eastern flank from one or two craters that sit further upslope – the Puu Oo crater and the summit crater.

The new lava is hotter, moves faster and has spread over a wider area.

Scientists say they don't know how long the eruption will last. The volcano has opened more than 20 vents, including four that have merged into one large crack. This vent has been gushing lava high into the sky and sending a river of molten rock toward the ocean at about 300 yards (274 meters) per hour.

Hawaii tourism officials have stressed that most of the Big Island remains unaffected by the eruption and is open for business.

CYBER NEWS

Agencies Poised To Hit CDM Dashboard Goal – FCW

Federal Computer Week, May 18, 2018

The federal government is making big strides in its effort to get a real-time picture of agency computer network activity. By the end of May or early June, the Department of Homeland Security expects to have all 23 major agencies connected to the federal dashboard housed at the National Cybersecurity and Communications Integration Center.

Currently, 15 of the 23 agencies covered under the Chief Financial Officers Act are connected, according to

Kevin Cox, program manager of the Continuous Diagnostics and Mitigation Program at DHS.

CDM is considered to be a vital program for protecting federal networks from cyber threats. However, a lack of prioritization by agencies and an uncertain funding structure has led to a series of frustrating delays around Phases 1 and 2.

Additionally, the program has received an Authorization to Operate in order to bring many of the non-CFO Act "micro" agencies up to speed on Phases 1 and 2, with a tentative expectation of getting them hooked up to the NCCIC dashboard by the end of June.

"I'm seeing progress. I think there's always the desire to do more and do it faster, and we've been working closely with OMB and folks up on the Hill to see where we can accelerate things," Cox said.

On the funding front, DHS is set to receive \$102 million for the program under the 2018 omnibus spending bill, and a bipartisan trio of lawmakers, Reps. John Ratcliffe (R-Texas), Will Hurd (R-Texas) and Jim Langevin (D-R.I.), have requested an additional \$237 million for 2019.

Following a May 8 appropriations hearing, DHS Secretary Kirstjen Nielsen told FCW that the department was eager to move to Phases 3 and 4.

"We want to get to data governance, data protection. So, we're still evolving as we go, but we are still ... making sure that all departments are using [CDM] the best that they can," she said.

Cox elaborated on the sidelines of a May 10 event in an interview with FCW.

"As we get into Phase 3, we're starting to move out to the perimeter, out to the cloud, mobile devices. So, what we're doing with all three phases is really lay the groundwork for agencies to have visibility of where they have data and what needs to be protected," Cox said.

"As we move into Phase 4, it's really about a data-centric approach, getting protections around our most critical data, making sure that for all the high-value assets in the federal government, that we have the proper mechanisms in place to ensure that that critical data is properly protected in the appropriate way for the system."

Lawmakers are also looking to use their oversight and funding clout to prod agencies into better compliance. Following a March 22 joint hearing on CDM by the House Homeland Security and Government Oversight committee, Ratcliffe told FCW that if he did not see significant progress from agencies by the end of the year, the "next major step is legislation."

A congressional aide on one of the committees working on CDM characterized the comments in less transactional terms. Ratcliffe and other members are exploring several different ideas and engaging with industry and public-sector stakeholders to determine what shape potential legislation

might take, but the staffer, speaking on background, indicated potential legislation would be more focused on giving DHS and CIOs the tools and authorities needed to bring agencies into compliance.

"We're not looking at it in [a punitive] lens, it's not about punishing agencies that are laggards," said the staffer. "It's more about how do you best empower [Cox and the CDM team] to do their job, and also incentivize federal agencies to be engaging with them."

In the meantime, the staffer described a three-pronged role for Congress to achieve better agency compliance, with the House Oversight committee putting CIOs on the hot seat through "name and shame" hearings that highlight slow adopters, the House Homeland Security committee taking feedback from CIOs on what they need to get the job done, and finally considering possible avenues for legislation and appropriators ensuring that funding decisions for the program are flowing in the right direction.

"We think CDM is a great program, and much like EINSTEIN, it's important to codify programs that are working," said the staffer. "Especially programs like CDM, which is not a tool like EINSTEIN was, it's a vehicle, a structure to do better cybersecurity. That's the kind of thing we want to get into law so folks can say, 'I have to do this, this is the kind of thing Congress is going to be asking about.'"

While he didn't express any preferences, Cox also indicated that DHS could be open to additional legislation.

"Just getting that visibility through legislation, perhaps to help send the signals to the agencies that this is an important effort and that it does need to be a priority, it potentially could help us," he said.

Status Of DHS's Continuous Diagnostics & Mitigation Program

Government Matters (DC), May 20, 2018

Kevin Cox, CDM program manager at the Department of Homeland Security, details how the data collected by the initiative will improve security across the federal government and why he thinks NPPD should have a name change.

One of the biggest cybersecurity programs in the U.S. government is Continuous Diagnostics and Management at the Department of Homeland Security. The initiative, which monitors federal networks for security risks, has been successful in its rollout so far. In a recent congressional hearing, CDM Program Manager Kevin Cox said that the project is driving continuous visibility, and DHS partnerships with other agencies.

"We're in a good spot. In terms of the efforts we have had so far with our initial phases, we wanted to get agencies visibility out to their on-premise networks. We wanted to get them visibility to the users connected to those networks, including the privileged users. So those efforts are all in

process or winding down actually," Cox told Government Matters. "We also wanted to get those agency dashboards in place... all of the CFO and federal cabinet agency dashboards are in place [and] the data is feeding up to them."

DHS's Dr. Barry Heads West

MeriTalk, May 18, 2018

Barry West, senior adviser and senior accountable official for risk management at the Department of Homeland Security, addresses MeriTalk's Cyber Security Brainstorm on Sept. 20, 2017, in Washington, D.C. (Photo: David Keith for MeriTalk)

It's only traditional for heroes to ride off into the sunset—and, appropriate that the sun sets in the West. Dr. Barry West, senior advisor and senior accountable official for risk management at the Department of Homeland Security (DHS), announced plans to hang up his government IT spurs the end of this month.

A fitting final ride for his storied Federal IT career, West has played a pivotal role in DHS IT direction, supporting the transition from previous administration CIO Luke McCormack to the short-lived Richard Starolopi to Dr. John Zangardi in the DHS CIO office. During his latest year-and-a-half tenure at DHS, West served as the lead executive on roll out and implementation of the 2017 White House Cyber Executive Order—and deserves significant credit for engaging government and industry to operationalize this critical policy directive.

The Cyber EO plays integrally with the MGT Act, FITARA, as well as the White House IT Modernization report and the new IT Executive Order. These programs lock up together in the administration's Presidential Management Agenda.

This certainly wasn't West's first rodeo. A serial Federal IT leader, West has served as acting deputy CIO at DHS, as well as CIO at Commerce, FEMA, PBGC, FDIC, and NOAA/NWS. As approachable as he is knowledgeable, West will bring his significant talents to the private sector where he'll continue to play an important role in improving the outcomes of Federal IT.

Happy trails partner—and never say never. Who knows, we may need to flash the bat sign again for one more ride on the range or perhaps a cricket match?

Banks Adopt Military-Style Tactics To Fight Cybercrime

By Stacy Cowley

New York Times, May 20, 2018

In a windowless bunker here, a wall of monitors tracked incoming attacks — 267,322 in the last 24 hours, according to one hovering dial, or about three every second — as a dozen analysts stared at screens filled with snippets of computer code.

Pacing around, overseeing the stream of warnings, was a former Delta Force soldier who fought in Iraq and Afghanistan before shifting to a new enemy: cyberthieves.

"This is not that different from terrorists and drug cartels," Matt Nyman, the command center's creator, said as he surveyed his squadron of Mastercard employees. "Fundamentally, threat networks operate in similar ways."

Cybercrime is one of the world's fastest-growing and most lucrative industries. At least \$445 billion was lost last year, up around 30 percent from just three years earlier, a global economic study found, and the Treasury Department recently designated cyberattacks as one of the greatest risks to the American financial sector. For banks and payment companies, the fight feels like a war — and they're responding with an increasingly militarized approach.

Former government cyberspies, soldiers and counterintelligence officials now dominate the top ranks of banks' security teams. They've brought to their new jobs the tools and techniques used for national defense: combat exercises, intelligence hubs modeled on those used in counterterrorism work and threat analysts who monitor the internet's shadowy corners.

At Mastercard, Mr. Nyman oversees the company's new fusion center, a term borrowed from the Department of Homeland Security. After the attacks of Sept. 11, 2001, the agency set up scores of fusion centers to coordinate federal, state and local intelligence-gathering. The approach spread throughout the government, with fusion centers used for fighting disease outbreaks, wildfires and sex trafficking.

Then banks grabbed the playbook. At least a dozen of them, from giants like Citigroup and Wells Fargo to regional players such as Bank of the West, have opened fusion centers in recent years, and more are in the works. Fifth Third Bank is building one in its Cincinnati headquarters, and Visa, which created its first two years ago in Virginia, is developing two more, in Britain and Singapore. Having their own intelligence hives, the banks hope, will help them better detect patterns in all the data they amass.

The centers also have a symbolic purpose. Having a literal war room reinforces the new reality. Fending off thieves has always been a priority — it's why banks build vaults — but the arms race has escalated rapidly.

Cybersecurity has, for many financial company chiefs, become their biggest fear, eclipsing issues like regulation and the economy.

Alfred F. Kelly Jr., Visa's chief executive, is "completely paranoid" about the subject, he told investors at a conference in March. Bank of America's Brian T. Moynihan said his cybersecurity team is "the only place in the company that doesn't have a budget constraint." (The bank's chief operations and technology officer said it is spending about \$600 million this year.)

The military sharpens soldiers' skills with large-scale combat drills like Jade Helm and Foal Eagle, which send troops into the field to test their tactics and weaponry. The financial sector created its own version: Quantum Dawn, a biennial simulation of a catastrophic cyberstrike.

In the latest exercise last November, 900 participants from 50 banks, regulators and law enforcement agencies role-played their response to an industrywide infestation of malicious malware that first corrupted, and then entirely blocked, all outgoing payments from the banks. Throughout the two-day test, the organizers lobbed in new threats every few hours, like denial-of-service attacks that knocked the banks' websites offline.

The first Quantum Dawn, back in 2011, was a lower-key gathering. Participants huddled in a conference room to talk through a mock attack that shut down stock trading. Now, it's a live-fire drill. Each bank spends months in advance recreating its internal technology on an isolated test network, a so-called cyber range, so that its employees can fight with their actual tools and software. The company that runs their virtual battlefield, SimSpace, is a Defense Department contractor.

Sometimes, the tests expose important gaps.

A series of smaller cyber drills coordinated by the Treasury Department, called the Hamilton Series, raised an alarm three years ago. An attack on Sony, attributed to North Korea, had recently exposed sensitive company emails and data, and, in its wake, demolished huge swaths of Sony's internet network.

If something similar happened at a bank, especially a smaller one, regulators asked, would it be able to recover? Those in the room for the drill came away uneasy.

"There was a recognition that we needed to add an additional layer of resilience," said John Carlson, the chief of staff for the Financial Services Information Sharing and Analysis Center, the industry's main cybersecurity coordination group.

Soon after, the group began building a new fail-safe, called Sheltered Harbor, which went into operation last year. If one member of the network has its data compromised or destroyed, others can step in, retrieve its archived records and restore basic customer account access within a day or two. It has not yet been needed, but nearly 70 percent of America's deposit accounts are now covered by it.

The largest banks run dozens of their own, internal attack simulations each year, to smoke out their vulnerabilities and keep their first responders sharp.

"It's the idea of muscle memory," said Thomas J. Harrington, Citigroup's chief information security officer, who spent 28 years with the F.B.I.

Growing interest among its corporate customers in cybersecurity war games inspired IBM to build a digital range

in Cambridge, Mass., where it stages data breaches for customers and prospects to practice on.

One recent morning, a fictional bank called Bane & Ox was under attack on IBM's range, and two dozen real-life executives from a variety of financial companies gathered to defend it. In the training scenario, an unidentified attacker had dumped six million customer records on Pastebin, a site often used by hackers to publish stolen data caches.

As the hours ticked by, the assault grew worse. The lost data included financial records and personally identifying details. One of the customers was Colin Powell, the former secretary of state. Phones in the room kept ringing with calls from reporters, irate executives and, eventually, regulators, wanting details about what had occurred.

When the group figured out what computer system had been used in the leak, a heated argument broke out: Should they cut off its network access immediately? Or set up surveillance and monitor any further transmissions?

At the urging of a Navy veteran who runs the cyberattack response group at a large New York bank, the group left the system connected.

"Those are the decisions you don't want to be making for the first time during a real attack," said Bob Stasio, IBM's cyber range operations manager and a former operations chief for the National Security Agency's cyber center. One financial company's executive team did such a poor job of talking to its technical team during a past IBM training drill, Mr. Stasio said, that he went home and canceled his credit card with them.

Like many cybersecurity bunkers, IBM's foxhole has deliberately theatrical touches. Whiteboards and giant monitors fill nearly every wall, with graphics that can be manipulated by touch.

"You can't have a fusion center unless you have really cool TVs," quipped Lawrence Zelvin, a former Homeland Security official who is now Citigroup's global cybersecurity head, at a recent cybercrime conference. "It's even better if they do something when you touch them. It doesn't matter what they do. Just something."

Security pros mockingly refer to such eye candy as "pew pew" maps, an onomatopoeia for the noise of laser guns in 1980s movies and video arcades. They are especially useful, executives concede, to put on display when V.I.P.s or board members stop by for a tour. Two popular "pew pew" maps are from FireEye and the defunct security vendor Norse, whose video game-like maps show laser beams zapping across the globe. Norse went out of business two years ago, and no one is sure what data the map is based on, but everyone agrees that it looks cool.

Jason Witty, the chief information security officer at U.S. Bank, admits that the blinking map he breaks out for customer briefings is mostly for show. But it serves a serious

purpose, he said: making the command center's high-stakes work more tangible.

"If you show customers the scripts you're actually running, it's just digits on a screen," Mr. Witty said. A big, colorful map is easier to grasp.

What everyone in the finance industry is afraid of is a repeat — on an even larger scale — of the data breach that hit Equifax last year.

Hackers stole personal information, including Social Security numbers, of more than 146 million people. The attack cost the company's chief executive and four other top managers their jobs. Who stole the data, and what they did with it, is still not publicly known. The credit bureau has spent \$243 million so far cleaning up the mess.

It is Mr. Nyman's job to make sure that doesn't happen at Mastercard. Walking around the company's fusion center, he describes the team's work using military slang. Its focus is "left of boom," he said — referring to the moments before a bomb explodes. By detecting vulnerabilities and attempted hacks, the analysts aim to head off an Equifax-like explosion.

But the attacks keep coming. As he spoke, the dial displayed over his shoulder registered another few assaults on Mastercard's systems. The total so far this year exceeds 20 million.

Security Experts Warn Of Attacks On Railway Systems

Business Insider, May 18, 2018

In early May of last year, the world was rocked by the WannaCry cyber attack, which affected more than 200,000 victims and spread to over 150 countries. Computers had essentially been taken hostage by ransomware, and users were asked to pay up in the form of bitcoin.

Law enforcement agencies, health services, telecommunication networks, universities, businesses, and railway systems were all affected by the attack. Estimates of the total damage ranged from hundreds of millions to billions of dollars.

While a fluke in the coding allowed the attack to be stopped in a matter of days, the ordeal was a prescient reminder that cyber attacks don't merely stay in the virtual world — they can have real, and potentially devastating consequences in the physical world.

Particularly when hackers begin targeting vital systems.

"The next kind of attacks we will see will target critical infrastructure in the form of electrical networks, water companies, and other transportation systems," Amir Levintal, former director of the Israel Defense Forces' cyber research and development unit and CEO of cybersecurity firm Cylus, told Business Insider.

But railway networks are particularly at risk because rail companies often operate with modern technological

components but archaic physical components. That disconnect, Levintal said, leaves their systems vulnerable to hacking.

Modern command centers use wireless connections to control activities, like monitoring train speeds or regulating traffic signals. It's these types of wireless signals can expose a network's vulnerabilities and leave the infrastructure wide open for attack.

"Some train networks use Wi-Fi connections to control critical components of the train, like brakes and doors. Attackers can find ways to access the wireless network to send commands to those components and change the behavior of the train," Levintal said.

"Once attackers succeed in breaching a network to gather information, they can attack the physical elements of the network," he said.

Hackers, Levintal said, "might change the controls on the train or could even access commands in order to derail the train. These kinds of attacks are probable, and once a system is breached it's just a matter of deciding what commands a malicious actor wants to send."

The scenario isn't that far-fetched. In the WannaCry attacks, Germany's rail network, Deutsche Bahn, was incapacitated by its ticketing and information systems going down.

Yet hackers don't need to rely on obvious flaws within a major railway system.

"Attackers can find one company that is not secure, access its tools and software, and find similarities in other components in other countries and companies, allowing them to attack more 'secure' companies," Levintal said.

The key to preventing future attacks, Levintal said, is protecting the physical components.

"We must converge old and new technologies and close a complicated security gap," Levintal said.

"We can no longer think that attacks like these won't happen in the future. Rail networks are huge, complex and connected. It's easier than ever to find ways to get into the systems."

FCC Investigating Website Flaw That Exposed Mobile Phone Locations

Reuters, May 18, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

After 2016, What Are New England States Doing To Prevent Election Hacking This Year?

Boston Globe, May 18, 2018

In the aftermath of the 2016 election — in which at least one foreign country successfully penetrated our voting

systems — election security has been top of mind for officials at both the national and local level.

There's been much discussion over what must be done to ensure the safety of our ballots looking forward. But what actual steps have been taken? That's a mixed bag.

A forensic analysis by the federal government of election systems following the 2016 election found that in ways large and small, hackers were able to gain access to data in at least 21 states. If you're wondering, the only New England state on that list was Connecticut. For the most part, that hacking meant finding a way to look at voter data before Election Day in hopes of altering the voter rolls and creating confusion at the polls. But there was no evidence that a single vote was changed as a result.

Still, states around the country took the problem seriously, with many asking what they could do to enhance security ahead of the 2018 midterm elections. If that sounds like a good start, hold on a moment, because fewer than half the states ultimately agreed to the federal government's offer to conduct an individualized risk assessment that would have exposed potential weaknesses.

In fact, Department of Homeland Security officials told a Senate committee last week that only 17 states had requested an on-site evaluation. In New England, only Rhode Island has said it did so.

Instead, most states took smaller steps. Some hired more IT staff or third-party cybersecurity firms to make their systems more secure. Others, including Vermont, went as far as to work with the federal government in mock hacks to help identify problems.

"The issue has only grown in importance, and I feel like we are in a very good position to defend ourselves ahead of the election," Vermont Secretary of State Jim Condos said.

In Maine, voting officials instituted a two-step verification process for election officials who must log into the state voting system. City and town clerks from across the state also gathered last week for a conference that included updates on election security. The takeaway: The system is getting more secure. Connecticut, meanwhile, spent \$5 million to enhance security on their voter information databases, similar to Vermont.

Only Rhode Island welcomed an in-person visit from the federal government, with officials then issuing a classified report.

"It was a very positive process for us, and of course you learn things you can improve on," Rhode Island Secretary of State Nellie Gorbea said.

Gorbea, like officials in all states, declined to discuss the particulars of that review. But she added that recently, the state conducted a separate test of its election security. During a special election in Scituate, members of the local National Guard went to polling places trying to hack the system in real

time. If you're wondering, they weren't able to breach the system, Gorbea said.

So what about Massachusetts? It never did a formal assessment that we know of. All Debra O'Malley, the spokeswoman for Secretary of State Bill Galvin, would say is that the state has been in regular contact with federal officials but said she was not "able [to] disclose specifics about the actions that have been taken or will be taken in the future."

Finally, in New Hampshire, the region's only swing state and the site of the nation's first presidential primary every four years, it appears there's been little action. Liberal activists have criticized Secretary of State Bill Gardner (a fellow Democrat) for not spending additional federal money to make the system more secure.

Gardner, for his part, says New Hampshire's elections are among the most secure already and don't need further help. That's in part because there is still no way to register to vote online in that state. Voter rolls are decentralized and kept individually within each city and town.

In a way, Gardner is correct. New Hampshire, and indeed all of New England, might be more secure at the ballot box, partly because states never updated their voting systems in the way that other states around the country did when they introduced touch screens. Such technology has proven itself especially vulnerable to cyberattacks in a way that pen-and-paper systems have not.

Still, there's no excuse for not taking a proactive approach, especially when the federal government is offering money — largely without strings — to do so. The opportunity for election officials to think creatively about the actual process of voting only comes up so often, and even more rarely with the money to act on those ideas.

The price for the failure to act is high. After all, it only takes one small breach or one changed vote to call into question the entire system.

OTHER DHS NEWS

YouTube's Efforts To Combat Extremist Videos Falling Short, Researchers Say

By Justin Carissimo

CBS News, May 17, 2018

An initiative by YouTube to minimize the exposure of videos advocating extremism is falling short, according to a new report from researchers with the Counter Extremism Project (CEP). The report criticizes the effectiveness of YouTube's efforts to suppress extremist videos and promote content that could dissuade potential recruits from joining terror groups.

YouTube, which is owned by Google, incorporated aspects of the "Redirect Method" last year. The program uses advertising to steer users away from extremist content in

search results and toward a playlist of pre-existing videos that debunk the ideology of violent extremists. The Redirect Program was developed in part by Jigsaw, Google's innovation arm.

But the researchers with CEP say they were three times more likely to encounter videos with extremist content in search results than videos that combat the propaganda.

Between April 3 and April 4, 2018, they searched YouTube using four keywords that the Redirect Method says indicate "positive sentiments" toward the Islamic State of Iraq and Syria (ISIS). The terms included the Arabic translations of "Islamic State" and "remaining and expanding," along with the English transliteration of each phrase. ("Remaining and expanding" is a commonly used ISIS rallying cry.)

They reviewed 710 YouTube videos that appeared in the search results and evaluated whether they contained extremist messaging or "counter-narrative" messages. They found 53 videos — more than 7.4 percent — included violent extremism or extremist propaganda. Twenty-five of the videos showed explicit violence or gore. ISIS propaganda was limited in the results, but 18 videos were official propaganda videos from other extremist groups and 31 others were unofficial videos containing combat footage or montages.

They said only 15 videos, about 2.1 percent, displayed content that counters or debunks extremism and that 14 of those were aimed solely at ISIS.

The term "Al Dawla Al Islameyah" — the Arabic term referring to ISIS — produced no counter-narrative results while searches for the Arabic translation of "remaining and expanding" had more extremist videos than counter-narratives in the results.

The report highlights how social media giants in Silicon Valley have struggled to tamp down hate speech and terrorist propaganda on their platforms.

Lara Pham, deputy director at CEP, said the goal of the report was to "test the efficacy of whether or not when we searched for pro-ISIS content we were being fed counter-narrative material."

Pham said the report brings into question if Google and YouTube are doing enough to fight extremist content.

"Our findings actually question the intentions of why Google pursued this program in the first place because, according to our findings, we really did not find that many counter-narrative programs and that was really troubling to us."

YouTube's struggle to police its channels

YouTube says it's taken steps to remove terrorism-related content

Researchers also identified two search terms that produced terroristic content that were not specified by the Redirect Method — the Arabic translation of "mujahideen" and "martyrdom." They said the terms had the most extremist

videos in the results and lacked the counter-messaging content almost entirely.

The authors of the report called Google's efforts to promote counter-narrative content "inconsistent and insufficient."

"The only thing that is clear is YouTube and others still have significant problems with online extremism and current measures are not nearly enough," David Ibsen, executive director for the Counter Extremism Project, said in a statement.

YouTube and Google did not respond to requests for comment.

Border Patrol Supervisor Arrested In Child Porn Case

[U.S. News & World Report](#), May 18, 2018

U.S. prosecutors in New Mexico say a supervisory U.S. Border Patrol agent is being held in a federal child pornography case.

The office says 45-year-old Jason Christopher Davis of Las Cruces, New Mexico, made his first federal court appearance Friday on a criminal complaint charging him with receipt of material containing or constituting child pornography.

Davis is in federal custody pending a preliminary hearing and detention hearing on Wednesday.

The public defender who has been appointed to represent him did not immediately respond to a request for comment.

The criminal complaint says Davis is suspected of receiving child pornography in April. It says Las Cruces police executed a search warrant on an email account subscribed to Davis.

Post-Implementation Reviews Of DHS' Major Acquisition Programs Key To Portfolio Mgmt

[ExecutiveGov](#), May 18, 2018

The

Government Accountability Office has called on the Department of Homeland Security to improve its portfolio management efforts through post-implementation assessments of major acquisition programs upon the deployment of initial capabilities.

GAO made the recommendation after it found that DHS does not leverage data collected from reviews once those programs conclude the implementation phase, according to a report published Thursday.

The congressional watchdog recommended that DHS update its procurement policy to mandate the certification of fund memorandums when acquisition projects rebaseline in response to violation of schedule, cost and performance objectives.

GAO reviewed 24 major procurement programs of DHS in 2017 and found that 10 of those programs were on target to meet cost and schedule goals. Six of the assessed programs were facing cost increases and schedule delays.

The report also showed that DHS met key practices for portfolio management and those include the establishment of standard review criteria, prioritization of investments and leadership empowerment.

Check Also

A fiscal 2019 defense appropriations bill crafted by the House Armed Services Committee contains language ...

U.S. Immigration And Customs Enforcement Agent Injured In Firearms Training Incident In Harpers Ferry

[Hagerstown \(MD\) Herald-Mail Media](#), May 18, 2018

A U.S. Immigration and Customs Enforcement (ICE) agent was injured Friday morning during routine firearms training and qualification exercises at the government's Customs and Border Protection Advanced Training Center in Harpers Ferry, W.Va., officials said.

"Per agency protocol, ICE's Office of Professional Responsibility and National Firearms Training and Tactical Unit are reviewing the incident," ICE spokesman Justine M. Whelan wrote in an email.

Additional information about the incident was not available from the federal agency, Whelan said.

The West Virginia State Police initially responded to the incident at the facility's Koonce Road campus, but the investigation was turned over to the federal government, police said.

Jefferson County Sheriff Pete Dougherty said Friday afternoon that it was his understanding that the injured person suffered a leg wound.

ACLU To New Mexico Prisons: Allow Inmates To Honor Ramadan

[U.S. News & World Report](#), May 18, 2018

The American Civil Liberties Union of New Mexico is urging state prison officials to respect the rights of Muslim inmates during Ramadan amid complaints.

ACLU of New Mexico this week sent letters to wardens of state prisons and U.S. Immigration and Customs Enforcement facilities to remind them of Muslim inmates' constitutional rights to exercise their religious beliefs.

The ACLU says in previous years it has received complaints during Ramadan from Muslim inmates who said correctional staff denied them access to communal prayer and halal meals.

In a statement, the New Mexico Corrections Department says the agency is committed to ensuring the

free exercise of religion by the inmates housed within each of its facilities.

Microsoft Makes Inroads With U.S. Spy Agencies As Tech Giants Face Off Over Cloud Contract

By Aaron Gregg

Washington Post, May 20, 2018

Microsoft has secured a potentially lucrative agreement that makes the full suite of the tech giant's cloud-computing platform available to 17 U.S. intelligence agencies, executives said recently, moving agencies' computer systems onto Office 365 applications and adding certain cloud-based applications not previously available to them.

The agreement could strengthen Microsoft's prospects for winning government business at a time when it is locked in competition with some of the world's biggest tech companies for a Pentagon cloud-computing contract that is expected to be worth billions.

For years, Amazon Web Services, a subsidiary of Amazon.com that provides cloud computing for businesses and government agencies, has been the primary provider of cloud services to U.S. intelligence agencies, thanks to a \$600 million contract with the CIA. (Amazon founder Jeffrey P. Bezos also owns The Washington Post.)

That remains the case after the recent agreement. Still, executives from Microsoft framed the contract agreement as an "awakening."

"This is a huge win from a Microsoft perspective," said Dana Barnes, vice president of the company's joint and defense agencies business unit. "It's kind of an awakening as far as the intelligence community is concerned that you can't be a one-cloud community."

The update came as part of a routine contract renewal between the Office of the Director of National Intelligence and computer provider Dell, which subcontracts government work to Microsoft. Microsoft has for years provided basic computer programs to the intelligence community under contract with Dell, some of which make use of cloud-based technology. But U.S. intelligence officials have not previously had access to the full suite of Microsoft Azure Government cloud services.

A release published by the company said the cloud stores government data itself in eight geographically distributed data center regions that include no commercial data. Barnes also said the platform has been designed to support different levels of classified data, echoing a cloud storage service released by Amazon last year that is meant to serve a similar purpose.

The opportunity could amount to hundreds of millions of dollars as the 17 agencies that make up the U.S. intelligence community see more choices for data storage and analysis,

though the exact amount will depend on how many orders are placed by government contracting officers.

Microsoft executives said the update could also strengthen the company's bid for a coming Pentagon cloud computing award. Called the Joint Enterprise Defense Infrastructure (JEDI), the contract has sparked a competitive frenzy that has attracted West Coast tech companies and Beltway government contractors.

"From a Microsoft perspective, this shows that the intelligence community has trust in our cloud," Barnes said. "If the intelligence community can trust our cloud, then the federal government can, the Defense Department can."

The contract is expected to grow to billions of dollars, officials said in a March 7 conference call. It is also seen as a foothold for future business with the Defense Department, which received more funding than any other agency by far under the president's 2019 budget.

The opportunity has attracted the interest of large tech firms including Microsoft, Amazon, Oracle, IBM and the IT services unit of General Dynamics. Amazon Web Services is seen as a front-runner for the contract given its past work with the CIA.

The Pentagon said in early March that it plans to pick a single winner for the JEDI award, which is expected to be the largest Defense Department cloud-computing effort to date.

Amazon's competitors, including Microsoft, have sharply criticized the Defense Department for its decision to turn to one company for the effort, saying the government would miss out on innovation elsewhere if it uses a single provider. Amazon has said that its "partner community," under which the government can use other companies' products alongside Amazon's, means that users have options.

And the company's rivals are worried that the firm may have an inside track to receiving the contract. Such concerns peaked in early February when the Pentagon awarded a contract with a \$950 million ceiling to Herndon-based REAN Cloud, a start-up that advertises itself as an Amazon Cloud partner. A month later the company slashed that contract to \$65 million and dramatically limited the scope of work following criticism from the industry.

The Defense Department has justified its decision by arguing against unneeded complexity. Tim Van Name, the deputy director of the Defense Digital Service, said in early March that having a single cloud provider is the best approach because having several "would exponentially increase the overall complexity," introducing greater risk into military operations because officials "would have to manage the seams between the applications."

GLOBAL MEDIA

Asylum Seekers Have Flooded Into Canada. The Government Is Putting Them To Work.

By Selena Ross

Washington Post, May 20, 2018

MONTREAL — In a darkened room at a suburban community center last month, a representative from a Canadian meatpacking company showed a huge map on the screen. More than 30 Haitians who had recently walked across the border to file refugee claims in Canada were in the audience.

"This is Canada," the woman said. "Here's Quebec." She was trying to recruit workers for her company's pig farm, but first she needed to describe where it was.

She zoomed in: "This is Temiscamingue," she said, explaining that it's an eight-hour drive northwest of Montreal. Two men stood up and walked out.

Pay starts at \$13.25 an hour and shifts start at 7 a.m., she said, and workers get housing and full benefits. People started to raise their hands.

By the end of the job fair, Olymel managers said they were thrilled: With 10 jobs to fill, at least a dozen people had stayed behind to ask questions.

Tens of thousands of people have surged across the border into Canada from the United States to claim asylum in the past year as the Trump administration's policies on migrants caused worry among asylum seekers and anti-migrant sentiment rose. The flood of migrants has put pressure on Canada's asylum system, accustomed to smaller numbers, and has driven up costs.

So Canadian policymakers are bolstering one tactic to ease the burden: They're integrating refugee claimants as quickly as possible into the job market.

The deluge of "irregular" -border-crossers into Quebec has been a boon for companies such as Olymel during a time of low unemployment. Olymel, for instance, has hired 250 asylum seekers at other sites.

"There was a big need, an urgent need, for employees," said company spokesman Richard -Vigneault. "They're very much willing to work. We train them; they're very fast. . . . We're very satisfied."

Many asylum seekers have also placed their hopes in work. With warnings that their claims will probably be rejected, many say they believe a good employment record will ultimately help them to stay.

"That's why we're here in Canada — so we have a job and a future," said Jean Brize, 38, who attended the job fair. Originally from Haiti, he moved to Canada from New York City last year with his wife and daughters. "The government is also focused on people who work."

Many of the migrants crossing into Canada know little about the distinctions between the Canadian and American asylum systems.

Those differences are stark, especially now. South of the border, claimants wait at least six months before they can legally work, and in recent months a "significant portion" have been kept in detention, according to Eleanor Acer, of the nonprofit organization Human Rights First.

In Canada, and particularly Quebec, asylum seekers get shelter, food, legal aid, basic health care, language classes and help finding an apartment, and they begin to receive welfare payments at the same rate as Canadian citizens. But they're also given work permits and asked to support themselves as soon as possible, paying taxes at normal rates.

That approach has become a crucial safety valve for Canada as the number of refugee claimants has doubled over the past year. In one report, Canadian authorities estimated that resettling Syrian refugees cost \$2,650 per person per year over six years. Other research has shown that spending is much higher in the first year. Asylum seekers in Canada wait an average of 19 months for a hearing, further driving up costs.

The federal response has partly been to try to put people to work. In the fall, the government decreased the wait time for work permits from three months to three weeks, quickly issuing 12,000 permits in Quebec. This spring, it created a "triage" system, busing people from the border to regions other than Montreal, including rural parts of Quebec, with dire labor needs.

The system will attempt to send some asylum seekers "to the regions of Quebec, including issuing work permits more quickly to meet manpower demands," said Chantal Bouchard, a spokeswoman from Quebec's Immigration Department.

Asylum seekers are doing fairly well in finding work. Of 13,072 adult asylum seekers who began receiving Quebec social assistance for the first time last year, 7,132, or about 55 percent, quit the program by the end of 2017, said a spokesman from the provincial labor ministry.

Some of those people probably quit for reasons other than finding a job, such as moving to another province. And that number doesn't include anyone who began receiving welfare in the last months of 2017 — a big group, after the summertime deluge over the border — and who succeeded in finding work early this year.

Those who work with them say their employment rates are high.

"It's not a difficult period for people to find a job," said Francine Dupuis, who runs Montreal's major governmental hub for refugee claimants.

Among the Haitian arrivals, "almost all" are now working, said Marjorie Villefranche, director of the Haitian

community center that hosted Olymel's job fair. Other meatpacking companies also have hired heavily, as well as a canoe and kayak manufacturer and a producer of herbs, spices and teas.

Asylum seekers say that finding work isn't just a question of earning a good living.

"The government has already spent a lot of money" on refugee claimants, said Éligene Perame, 52, a Haitian migrant who was also considering going to work at the rural pig farm. "But I have to make efforts to find work to help myself, mostly."

Refugee acceptance rates have been falling swiftly, and this month federal ministers said they expect that 90 percent of the "irregular" border crossers won't meet refugee criteria.

With those odds, seeking work isn't a bad strategy. Job status shouldn't be relevant when people argue their claims, but submitting letters from employers "doesn't hurt," said Montreal refugee lawyer Mitchell Goldberg.

It will also be crucial later for the minority of people who manage to appeal their rejections. Then they must show that their families are thriving in Canada and should stay on humanitarian grounds, Goldberg said — and employment is "very, very important."

Given the current stress, some are even asking the government to take things a step further. Villefranche, whose community center helped resettle thousands of Haitian arrivals last year, has pitched the idea of allowing them to simply switch status to temporary migrant workers, an existing Canadian program, and then to apply for a permanent visa with the help of their employers.

"That would be much faster for them and less expensive for everyone," she said. "And there is hope at the end."

The Quebec government said that proposal would fall under the federal government's jurisdiction; the federal government has said it is up to the province.

"The government would most likely be concerned that it would be a pull factor drawing more people to cross the border," Goldberg said.

Brize, after filling out forms for the Temiscamingue job, said any option is a good option if it means staying in Canada.

"If the government gives us asylum status, that's good," he said. "If the government [says] it will welcome us by sending us to another position, to work, we have no problem. It's residence status we're looking for, because we do not want to live in our country."

Germany Probes More Refugee Offices After Official Accused Of Wrongly Granting Asylum: Media

Reuters, May 20, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Migrants Say These Mass Shelters Are Like Prisons. Germany Wants To Build More

By Griff Witte And Luisa Beck

Washington Post, May 17, 2018

Franklin Uweh's home of eight months, ever since he arrived in Germany after fleeing his native Nigeria, is a squat, stucco compound in the verdant Bavarian countryside that he shares with hundreds of other asylum seekers.

He's not allowed to work. He's not allowed to take language classes. His movements are strictly controlled. And every day he wakes up fearing that he'll be deported, the one fate he considers worse than an indefinite stay in this government-run shelter.

"There's no life in this place," said the 27-year-old. "It's like a prison."

But to Germany's top law enforcement official, it's something else: a national model.

That dissonance is at the heart of a debate in Germany about the country's treatment of arrivals who have come seeking refugee protection, but who are unlikely to be allowed to stay.

Germany has a new government this spring, and although many of the players remain the same, perhaps the biggest difference is a much tougher asylum policy in a country that accepted more than 1 million refugees during an unparalleled influx less than three years ago.

The hardened stance reflects a souring national mood, with a far-right party now in Parliament for the first time in more than half a century and Chancellor Angela Merkel under pressure to pull up the welcome mat once and for all.

Merkel has resisted doing so, arguing that the country must fulfill its humanitarian obligations to people fleeing war and persecution. But she has signed off on an upper limit to the overall number of asylum seekers, as well as a cap on family members who can join their relatives in Germany.

And now Horst Seehofer, her new interior minister, is advancing a "master plan" to deal with one of the government's more vexing refugee-related challenges: how to quickly deport those who don't win asylum.

Core to his strategy are mass shelters like the one where Uweh lives.

Known as "anchor centers," they are intended to house migrants who, because they come from countries whose nationals often do not meet German asylum requirements, are deemed to have little chance of securing refugee protection. Residents — most of whom are from Nigeria, Ukraine, Afghanistan or Balkan nations — stay there from the time they arrive in Germany until the day they are deported.

Unlike facilities for likely refugees, which are often small and interspersed throughout cities, towns and villages, the anchor centers are isolated by design. They are located far from German communities and offer virtually no opportunities for residents to integrate.

Seehofer argues that they allow the government to conduct a speedy asylum review, with every step of the process under one roof, and to keep close watch on those deemed ineligible to stay in Germany.

That has been a persistent problem: Last year, about half a million unsuccessful asylum seekers remained in the country, and efforts to reduce their number have fallen short.

About 50,000 people have been deported in the past two years — a fraction of the some 450,000 who have applied for asylum in Germany during the same period. Unlike in the United States, where deportations sharply expanded under presidents Barack Obama and Trump, the German government has struggled to increase its deportation totals. A lack of cooperation from home countries and a bureaucratic process that involves coordination among local, regional and federal authorities are among the reasons why.

The issue became a focus of intense public debate in Germany in December 2016, when a Tunisian man who had been turned down for asylum but who slipped away before he could be deported rammed a stolen truck into a Berlin Christmas market, killing 12.

"When it comes to protecting the citizens, we need a strong state. I will take care of that," Seehofer recently told the *Bild am Sonntag* in an interview touting his plans.

Yet Seehofer's goal of making Bavarian anchor centers a model that can be replicated nationwide has run into fierce opposition from refugee advocates and police officials, who argue that the facilities are inadequate and will only breed resentment among residents. That, they say, will ultimately harm, not enhance, public safety.

"If we're talking about thousands of people living together — people who don't have any occupation, who may be traumatized, who are alone — it's clear that there will be tensions," said Jörg Radek, deputy chairman of the Federal Police Union.

Such tensions recently flared at a facility in the southern German town of Ellwangen, where police attempted to detain a 23-year-old Togolese man who had been marked for deportation.

Nearly 200 fellow asylum seekers blocked the officers' path, and the police were forced to leave empty-handed. They recaptured the man days later, but it took hundreds of heavily armed officers, with numerous arrests and injuries resulting from a situation that the local police commander described as "very overheated."

Nothing like that has happened at the center here on the outskirts of Ingolstadt, a picturesque Bavarian city along

the Danube River that's best known as the home of the carmaker Audi.

But the anger among asylum seekers was evident during a media tour of a facility that's normally off-limits to outsiders.

"I need help!" Alimat Kubi pleaded to reporters during a demonstration by dozens of the facility's residents, who held aloft handmade signs and chanted slogans protesting the shelter's conditions.

Kubi said she has spent eight months in a tiny room alongside her husband and four children. None of them can sleep at night because of the cramped quarters. And now they have a baby — her fifth child — born earlier this month. But they are not able to heat up bottles of milk for her, because residents are barred from cooking.

"We thought Germany would be better for us," Kubi said, shaking her head.

She said she fled her native Nigeria to protect her young daughters from female genital mutilation, a practice that is pervasive in some parts of the country. A dangerous journey across the desert and the sea followed.

Her family is still waiting for word on whether they can stay.

Although the average wait time for a decision among shelter residents is more than four months, some cases can take a year or longer because of appeals and the complicated nature of asylum claims for people who, in many instances, arrived in Germany without passports or other documents.

Most Nigerians who apply for asylum in Germany are rejected on the grounds that they are seeking a better life, not necessarily fleeing war or persecution. But escaping female genital mutilation is a valid reason for granting protection, according to social workers who assist the migrants.

Human rights advocates say policies for deciding who goes to the anchor centers ignore those specific reasons people fled their homes, and focus only on nationality.

And once in the centers, where details of their cases are first considered, residents have virtually no hope of making progress with their German integration.

"There is no contact with neighbors because there are no neighbors," said Alexander Thal, spokesman for the Bavarian Refugee Council, an advocacy group. "They just have to sit inside the center and wait."

They also can be cut off from legal assistance. In Ingolstadt, only one lawyer specializes in asylum cases, and his office is miles away.

"People don't have the tools to make use of their rights," said Gabriele Störkle, a social worker with the aid group Caritas, one of the few organizations allowed inside the center.

Facility administrators said they were not surprised by the residents' display of anger during the media tour. But they

also defended conditions at a facility that was until recently a military barracks.

"It's not luxury living," said Martin Nell, a spokesman for the regional administration that oversees the center. "But they have food. They have housing. They have humane living conditions."

Uweh, the 27-year-old Nigerian, strongly disagrees. He described the food as inedible, legal advice as scarce and privacy as nonexistent.

But the worst part is psychological. After eight months at the center, he wakes up each day to find that friends have been deported. His asylum claim has been rejected and he knows that one day soon, the police will come for him.

"There's no hope," he said, his lip quivering. "They should have just told me when I got to Germany, 'We don't need you here. Go back.' "

NATIONAL SECURITY NEWS

Iraqi Cleric Sadr Meets Pro-Iran Amiri After Election Win

Reuters, May 20, 2018

Full-text stories from Reuters currently cannot be included in this document. You may, however, click the link above to access the story.

Once Hated By U.S. And Tied To Iran, Is Sadr Now 'Face Of Reform' In Iraq?

By Margaret Coker

New York Times, May 20, 2018

BAGHDAD — Iraqis are still haunted by memories of black-clad death squads roaming Baghdad neighborhoods a decade ago, cleansing them of Sunnis as the country was convulsed by sectarian violence.

Many of the mass killings in the capital were done in the name of Moktada al-Sadr, a cleric best remembered by Americans for fiery sermons declaring it a holy duty among his Shiite faithful to attack United States forces.

The militia he led was armed with Iranian-supplied weapons, and Mr. Sadr cultivated a strong alliance with leaders in Tehran, who were eager to supplant the American presence in Iraq and play the dominant role in shaping the country's future.

Now, the man once demonized by the United States as one of the greatest threats to peace and stability in Iraq has come out as the surprise winner of this month's tight elections, after a startling reinvention into a populist, anticorruption campaigner whose "Iraq First" message appealed to voters across sectarian divides.

The results have Washington — and Tehran — on edge, as officials in both countries seek to influence what is expected to be a complex and drawn-out battle behind the

scenes to build a coalition government. Mr. Sadr's bloc won 54 seats — the most of any group, but still far short of a majority in Iraq's 329-seat Parliament.

Even before final results were announced early Saturday, Mr. Sadr — who did not run as a candidate and has ruled himself out as prime minister — had made clear whom he considers natural political allies. At the top of his list is Prime Minister Haider al-Abadi, the moderate Shiite leader who has been America's partner in the fight against the Islamic State and whose political bloc finished third in the vote.

Pointedly absent from Mr. Sadr's list of potential partners: pro-Iranian blocs, as he has insistently distanced himself from his former patrons in Iran, whose meddling he has come to see as a destabilizing force in Iraq's politics.

Early Sunday morning, the prime minister met with Mr. Sadr in Baghdad. They discussed forming a government, and aides from both sides said the men saw eye to eye on prioritizing the fight against corruption.

While Mr. Sadr has all the momentum going into negotiations over the governing coalition, there is no guarantee his bloc will be in power. And it is too early to tell what the election may mean for Iraqi stability or American national security goals.

But the upset has clearly weakened the sectarian foundation of Iraq's political system — and helped transform Mr. Sadr's image from the paragon of a militant Shiite into an unexpected symbol of reform and Iraqi nationalism.

As the head of the Sairoon Alliance for Reform, Mr. Sadr presides over an unlikely alliance that pairs his pious, largely working-class Shiite base with Sunni business leaders, liberals and Iraqis looking for relief from the country's long-simmering economic crisis.

For those joining the alliance, it was important to be convinced that Mr. Sadr's shift from Shiite firebrand to Iraqi patriot was sincere, and likely to last.

Late last year, the cleric began reaching out to groups outside his base with an offer to form a new political movement, and the country's embattled leftists and secularists — once his staunch enemies — faced a moment of reckoning.

They remembered how a rogue Shariah court he had established passed sentences on fellow Shiites deemed too submissive toward the American occupation of Iraq. And they recalled the countless Iraqis killed in battles between the country's security forces and Mr. Sadr's militia.

But a ragtag group of communists, social democrats and anarchists have come to embrace Mr. Sadr as a symbol of the reform they have championed for years — an image that the cleric has burnished, seeing it as the best path to political power.

"Let me be honest: We had a lot of apprehensions, a lot of suspicions," said Raad Fahmi, a leader of Iraq's